

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: SHARON ALLS, R.N.

ORDER

In accordance with §§2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on August 9, 2010, in Henrico County, Virginia. Sharon Alls, R.N., was not present and was not represented by legal counsel. Janet B. Younger, R.N., P.N.P., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On November 17, 2010, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Alls was not present nor was she represented by legal counsel. Ms. Alls submitted written comments/objections.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Sharon Alls, R.N., was issued License No. 0001-193817 to practice as a professional nurse in Virginia on December 6, 2004. The license is current and will expire on January 31, 2011. Ms. Alls was issued License No. 0002-040609 to practice as a practical nurse in Virginia on November 23, 1988. The license to practice practical nursing expired on January 31, 2009.
2. Ms. Alls' license to practice practical nursing was placed on probation for diversion of controlled substances and falsification of patient records in an Order of the Board entered on March 30, 1999. Ms. Alls' license to practice practical nursing was again placed on probation for falsification of patient records and for the abuse and neglect of patient's under her supervision in an Order of the Board entered on July 14, 2003. In 2004, Ms. Alls' probation was continued and her application for

licensure as a professional nurse was approved in an Order of the Board entered on December 2, 2004. Finally, Ms. Alls received a reprimand for violating the terms and conditions of her probation and her probation was continued in an Order of the Board entered on November 16, 2005.

3. By letter dated July 9, 2010, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Alls notifying her that an informal conference would be held on August 9, 2010. The Notice was sent by certified mail and first class mail to 163 Summerwood Lane, Galax, Virginia 24333, the address of record on file with the Board. The certified letter was delivered on July 10, 2010, and the Board received the US Postal Service delivery confirmation on July 14, 2010. The first class mail was not returned to the Board. The Agency Subordinate concluded that Ms. Alls was provided adequate notice and the informal conference proceeded in her absence.

4. In the course of her employment in the Alzheimer’s Unit of the Skyline Nursing and Rehabilitation Center (“Skyline Nursing”), Floyd, Virginia, Ms. Alls admitted that she failed to apply or remove nitroglycerin patches on several residents. Specifically:

a. On January 8, 2010, and January 9, 2010, Ms. Alls failed to remove two nitroglycerin patches from Resident A and falsified the resident’s medication administration record (“MAR”) to indicate that she had removed the patches.

b. On January 11, 2010, Ms. Alls failed to remove a nitroglycerin patch from Resident B and falsified the MAR to indicate that she had removed the patch.

c. On January 10, 2010, Ms. Alls failed to apply a nitroglycerin patch to Resident C, and falsified the MAR to indicate that she had applied the patch.

d. On January 10, 2010, Ms. Alls failed to apply a nitroglycerin patch to Resident D, and falsified the MAR to indicate that she had applied the patch.

e. On January 11, 2010, Ms. Alls failed to remove a nitroglycerin patch from Resident E and falsified the MAR to indicate that she had removed the patch.

5. Skyline Nursing administrators became aware of Ms. Alls' medication omission and documentation errors when a charge nurse scheduled to remove nitroglycerin patches on two residents discovered that (i) the patches had not been applied and (ii) the patients' MARs indicated that the patches had been applied. On January 11, 2010, as a result of the charge nurse's discovery, Ms. Alls was placed on suspension and an audit of MARs was undertaken to identify any other patients who might have been affected by Ms. Alls' failure to remove or apply nitroglycerin patches. Notwithstanding Ms. Alls' medication omission and documentation errors, none of the affected residents suffered any ill side effects or harm because of the failure to remove or apply nitroglycerin patches. Ms. Alls' employment was terminated on January 14, 2010.

6. In interviews with a Department of Health Professions ("DHP") investigator, and in a written statement, dated March 24, 2010, Ms. Alls explained that she committed the numerous medication omission and documentation errors because of the nearly constant interruptions and distractions associated with her assignment to Skyline Nursing's Alzheimer's unit. Ms. Alls explained further that she found caring for the unit's 30 constantly mobile and wandering Alzheimer's patients to be unmanageable. Ms. Alls also said that she signed the patients' MARs incorrectly because of the extreme pressure and her fear of disciplinary action from Skyline Nursing management if any blank spaces were left in the MAR. In summary, Ms. Alls accepted responsibility for all of her errors and stated that she understood the seriousness of her actions.

CONCLUSIONS OF LAW

Findings of Fact #4(a), #4(b), #4(c), #4(d), #4(e), and #6 constitute violations of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(e) and (f) of the Regulations Governing the Practice of Nursing.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. License No. 0001-171042 of Sharon Alls, R.N., to practice professional nursing is INDEFINITELY SUSPENDED for a period of not less than two years.
2. The right of Sharon Alls to renew License No. 0002-040609 to practice practical nursing, is INDEFINITELY SUSPENDED for a period of not less than two years.
3. The licenses to will be recorded as suspended and no longer current.
4. At such time as Ms. Alls shall petition the Board for reinstatement of her professional nursing license or practical nursing license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional and/or practical nursing. Ms. Alls shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of any license to resuming practice.
5. This suspension applies to any multistate privilege to practice professional or practical nursing.

Since Ms. Alls failed to appear at the informal conference, this Order shall be considered final. Ms. Alls has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Alls has thirty (30) days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

Pursuant to §54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD

Jay P. Douglas

Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director
Board of Nursing

Entered: December 3rd, 2010

Certified True Copy
By *dgraham*
Virginia Board of Nursing