

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: BILLIE J. GUTSHALL, L.P.N.
License No.: 0002-086988

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 October 23, 2013, in Henrico County, Virginia. Billie J. Gutshall, L.P.N., was present and was not represented by legal counsel. Jane Elliott, R.N. Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 29, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Gutshall was not present nor was she represented by legal counsel.

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. Billie J. Gutshall, L.P.N., was issued License No. 0002-086988 to practice practical nursing in Virginia on May 7, 2012. The license is scheduled to expire on April 30, 2015.
2. By letter dated September 27, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Gutshall notifying her that an informal conference would be held on October 23, 2013. The Notice was sent by certified and first class mail to 115 Incubator Hollow Road, Hot Springs, Virginia, 24445, the address of record on file with the Board of Nursing.
3. During the course of her employment with Kissito Healthcare – The Springs Center, Hot Springs, Virginia, on October 4, 2012, Ms. Gutshall failed to recognize a transcription error on Resident

A's Medication Administration Record regarding the correct dosage of Baclofen to administer to the resident, and she administered one incorrect dose to the resident.

4. On September 10, 2012, Ms. Gutshall failed to document performing an assessment on Resident A after being notified of bruising on the resident's arm. Ms. Gutshall stated to an investigator for the Department of Health Professions that the computer was down and that she did provide a verbal report to the oncoming nurse. By that time, the resident's bruise had begun to yellow.

5. These incidents occurred less than five months after Ms. Gutshall's initial licensure as a practical nurse. At the time of the incidents, Ms. Gutshall was working as the Assistant Director of Nursing, a position to which she had been promoted very rapidly. Ms. Gutshall's employment was terminated on October 5, 2012.

6. At the informal conference, Ms. Gutshall admitted to pre-charting on residents' records.

7. Ms. Gutshall is currently employed as a nurse with the Augusta County Correctional Center, which was aware of her appearance before the Board.

CONCLUSIONS OF LAW

Findings of Fact Nos. 3 and 4 constitute violations of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Billie J. Gutshall, L.P.N., is hereby REPRIMANDED.
2. Ms. Gutshall shall provide the Board with verification that she has completed the following NCSBN online courses within 60 days of the date this Order is entered: *Professional Accountability & Legal Liability for Nurses* and *Documentation: A Critical Aspect of Client Care*.
3. Ms. Gutshall shall maintain a course of conduct in her capacity as a practical nurse


commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

4. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. Gutshall and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Gutshall may, not later than 5:00 p.m., on March 19, 2014, notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.


FOR THE BOARD:


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

ENTERED: Feb. 14, 2014

This Order shall become final on March 19, 2014 unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 
Virginia Board of Nursing