

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: JENNIFER L. WOODWARD, L.P.N.
License No.: 0002-076855**

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 February 2, 2016, in Henrico County, Virginia. Ms. Woodward was not present nor was she represented by legal counsel. Judith Piersall, R.N., B.S.N., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On March 23, 2016, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Woodward 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. Jennifer L. Woodward was issued License No. 0002-076855 to practice practical nursing in Virginia on October 1, 2007. The license is scheduled to expire on May 31, 2016. On September 15, 2014, the Virginia Board of Nursing issued Ms. Woodward an Order of Reprimand for repeatedly accessing records of patients who were not assigned to her resulting in her termination from two employers. Ms. Woodward's primary state of residence is Virginia.

2. By letter dated January 5, 2016, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Woodward notifying her that an informal conference would be held on February 2, 2016. The Notice was sent by certified and first class mail to 301 Madison Street, Culpeper,

VA 22701, the address of record on file with the Board of Nursing. The Notice was also sent to 14177 Berry Hill Road, Elkwood, Virginia 22718, a secondary address. The Notice sent by certified mail to the Respondent's address of record was returned unclaimed. According to the United States Postal Service's website, the Notice sent by certified mail to the secondary address was delivered on January 6, 2016. The Notices sent by first class mail were not returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Woodward and the informal conference proceeded in her absence.

3. During the course of her employment with Culpeper Health and Rehabilitation Center, Culpeper, Virginia, from March 24, 2015 through April 7, 2015, Ms. Woodward diverted six oxycodone 10mg tablets (C-II) from the supply of Resident A and twenty-four oxycodone/acetaminophen 5mg/ 325mg tablets (C-II) from the supply of Resident B, who was prescribed one to two tablets every four to six hours as needed for pain. Ms. Woodward accomplished this diversion by either withdrawing the medication and then not documenting it on the medication administration records, not documenting it on the narcotic sign out sheet, or signing out the medication in the name of another nurse. In addition, on one occasion, Ms. Woodward was observed nodding off at work and exhibiting slurred speech.

4. As a result of this incident, Ms. Woodward's employment was terminated on April 21, 2015.

5. On June 17, 2015, Ms. Woodward signed a participation contract with the Health Practitioners' Monitoring Program ("HPMP"), in which she acknowledged her opiate abuse.

6. During the course of her participation in the HPMP:

a. As revealed by her Prescription Monitoring Report, on August 15, 2015, Ms. Woodward filled a prescription for adderall (C-II) without notifying the HPMP beforehand.

b. Ms. Woodward reported to her HPMP case manager that on August 29, 2015, she took 10mg of hydrocodone from an old prescription without notifying the HPMP beforehand.

c. On September 10, September 11, and December 3, 2015, Ms. Woodward missed required drug screens.

d. On September 15, 2015, Ms. Woodward submitted to a drug screen which tested positive for oxazepam, a metabolite of diazepam (C-IV), for which she did not provide a current prescription.

7. Ms. Woodward has been diagnosed with anxiety and depression, for which she received medication and treatment.

8. The HPMP submitted four noncompliance reports to the Board dated September 4, 2015; September 18, 2015; October 1, 2015; and December 8, 2015. According to the noncompliance report dated December 8, 2015, Ms. Woodward was scheduled to be dismissed from the HPMP at the January Monitoring Program Committee meeting, which was rescheduled to February 5, 2016 due to inclement weather.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), (6), and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing.

2. Findings of Fact Nos. 5, 6(a) through 6(d), and 7 constitute a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:


1. License No. 0002-076855 of Jennifer L. Woodward, L.P.N. to practice practical nursing is INDEFINITELY SUSPENDED for a period of not less than one year.

2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Woodward shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of practical nursing. Ms. Woodward shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.
4. This suspension applies to any multistate privilege to practice practical nursing.

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.

Since Ms. Woodward failed to appear at the informal conference, this Order shall be considered final. Ms. Woodward 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. Woodward 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, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

FOR THE BOARD


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

Certified True Copy

By 
Virginia Board of Nursing

Entered: March 30, 2016