

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: JORDAN N. HIGGS, R.M.A.
Registration No.: 0031-006999

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 11, 2016, in Henrico County, Virginia. Jordan N. Higgs, R.M.A., was not present nor was he represented by legal counsel. Jane Elliott, R.N., Ph.D., 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. Mr. Higgs was not present nor was he 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. Jordan N. Higgs, R.M.A., was issued Registration No. 0031-006999 to practice as a medication aide in Virginia on August 7, 2013. The registration is scheduled to expire on February 29, 2017.
2. By letter dated January 12, 2016, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Mr. Higgs notifying him that an informal conference would be held on February 11, 2016. The Notice was sent by certified and first class mail to 309 Front Street, Front Royal, Virginia, 22630, the address of record on file with the Board of Nursing. The Notice sent via certified mail was returned unclaimed to the Board office. The Notice sent via first-class mail was not returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Mr. Higgs and the

informal conference proceeded in his absence.

3. During the course of his employment with Amerisist Assisted Living, Front Royal, Virginia, on five occasions between April 4, 2015, and April 9, 2015, Mr. Higgs forged another medication aide's signature on the narcotic control sheet documenting the withdrawal of lorazepam for Resident A, and he diverted the medication for his personal and unauthorized use.

4. During his June 13, 2015, interview with the investigator for the Department of Health Professions, Mr. Higgs was reluctant to answer questions about the forged signatures.

5. The medication aide whose signature was forged did not work on the same shift as Mr. Higgs, but she used the same medication cart. The "G" in her purported signature did not match the way she wrote "G" in her own signature, but rather matched the "G" in Mr. Higgs' signature. Further, Mr. Higgs was the only medication aide assigned to that medication cart on the nights that her signature was forged.

6. The medication aide whose initials were forged; reported the allegation to the facility management, which terminated Mr. Higgs' employment. He was later re-hired for a brief period but his employment was terminated for using inappropriate language with a resident.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), (6), and (8) of the Code and 18 VAC 90-60-120(c) and (d) of the Regulations Governing the Registration of Medication Aides.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

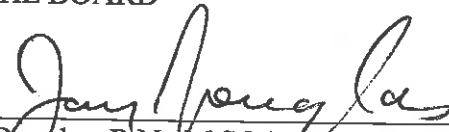
1. Registration No. 0031-006999 of Jordan N. Higgs, R.M.A., is INDEFINITELY SUSPENDED.
2. The registration will be recorded as suspended and no longer current.

3. At such time as Mr. Higgs shall petition the Board for reinstatement of his registration, an administrative proceeding will be convened to determine whether he is capable of resuming safe and competent medication aide practice. Mr. Higgs shall be responsible for any fees that may be required for the reinstatement and renewal of the registration prior to issuance of the registration to resume practice.

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 Mr. Higgs failed to appear at the informal conference, this Order shall be considered final. Mr. Higgs 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, Mr. Higgs has thirty (30) days from the date of service (the date he actually received this decision or the date it was mailed to him, 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, 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, R.N., M.S.M., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

Entered: March 29th, 2016

Certified True Copy

By 
Virginia Board Of Nursing