

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: JASMINE V. JOHNSON, L.P.N.**  
**License No.: 0002-083177**

**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 22, 2015 in Henrico County, Virginia. Jasmine V. Johnson, L.P.N. was not present nor was she represented by legal counsel. Allison Gregory, M.S., R.N., F.N.P.-B.C., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 27, 2016, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Johnson 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. Jasmine V. Johnson, L.P.N. was issued License No. 0002-083177 to practice practical nursing in Virginia on August 23, 2010. The license is scheduled to expire on September 30, 2017. Her primary state of residence is Virginia.

2. By letter dated September 22, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Johnson notifying her that an informal conference would be held on October 22, 2015. The Notice was sent by certified and first class mail to 1655 South Crater Road #14, Petersburg, Virginia 23805, the address of record on file with the Board of Nursing. The Notice sent by certified mail was returned to the Board office unclaimed. The Notice sent by first class mail was not

returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Johnson and the informal conference proceeded in her absence.

3. During the course of her employment with Southside Oral and Facial Surgery, which has offices in Chester, Petersburg, and Hopewell, Virginia, between August and December 2014, Ms. Johnson diverted fentanyl (C-II) from facility supplies, as evidenced by the following:

a. On five separate occasions, after receiving shipments of fentanyl in boxes containing 25 vials of 2ml fentanyl 50mcg/ml (for a total of 2,500 mcg per box), Ms. Johnson either logged in less of the medication than was actually received or failed to log in any medication at all:

i. On August 20, 2014, she received five boxes, but she recorded receiving only 10,000 mcg, or four boxes.

ii. On September 18, 2014, she received eight boxes, but she recorded receiving only 10,000 mcg, or four boxes.

iii. On October 12, 2014, she received ten boxes, but she did not record receipt of any boxes.

iv. On November 3, 2014, she received ten boxes, but she did not record receipt of any boxes.

v. On November 18, 2014, she received 15 boxes, but she recorded receiving only 5,000 mcg, or two boxes.

b. On October 24, 2014, Ms. Johnson signed out 2500 mcg of fentanyl from the Chester office, to be transported to the Petersburg office. She never delivered these vials to the Petersburg office.

c. On December 12, 2014, Ms. Johnson took a box of 25 vials of fentanyl home rather than transporting it from the Chester office to the Petersburg office. She opened the vials, removed

the medication, and then glued the lids back onto the vials. She returned only 24 of the 25 vials to the office. The vials were noted to have a cloudy substance around the seals.

4. In interviews with an investigator for the Department of Health Professions, Ms. Johnson denied diverting the fentanyl. She acknowledged that on December 12, 2014, which was a Friday, she took the medication home with her rather than directly to another office because it was late in the day. She stated that she hid the vials in the autoclave bag in her closet, and did not think there was anything unusual about doing so. She stated that her boyfriend had access to her closet. She was unable to return the fentanyl on the following Monday morning because she was locked out of the apartment and her boyfriend had the keys.

5. Ms. Johnson submitted to a drug screen that was negative for all substances. Her employment with Southside Oral and Facial Surgery was terminated on December 16, 2014 due to her diversion of fentanyl.

6. Ms. Johnson told the investigator that she had a history of anxiety and abuse of prescription drugs. She was not employed at the time of her interview.

#### CONCLUSIONS OF LAW

Finding of Fact #3 constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing.

#### ORDER

WHEREFORE, it is hereby ORDERED as follows:

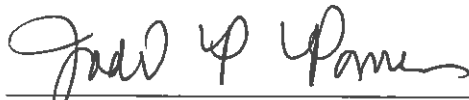
1. License No. 0002-083177 of Jasmine V. Johnson, L.P.N. is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Johnson shall petition the Board for reinstatement of her license, an

administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of practical nursing. Ms. Johnson 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.

Since Ms. Johnson failed to appear at the informal conference, this Order shall be considered final. Ms. Johnson 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. Johnson 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, MSM, RN, CSAC, FRE, 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

  
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Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director  
Virginia Board of Nursing

Entered: February 19, 2016

Certified True Copy  
By   
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Virginia Board Of Nursing