

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: TAMMY GOODWIN, L.P.N.
License No.: 0002-069122

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 September 8, 2015, in Henrico County, Virginia. Ms. Goodwin 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 November 18, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Goodwin 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. Tammy Goodwin, L.P.N., was issued License No. 0002-069122 to practice practical nursing in Virginia on June 29, 2004. The license is scheduled to expire on June 30, 2016. Ms. Goodwin holds License No. 33656 to practice in West Virginia, which expired on November 5, 2013. Her primary state of residence is Virginia.

2. By letter dated August 13, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Goodwin notifying her that an informal conference would be held on September 8, 2015. The Notice was sent by certified and first class mail to 6600 Al Philpott Hwy.,

Martinsville, Virginia 24112, the address of record on file with the Board of Nursing. The certified mail receipt was returned to the Board office unclaimed. The first class mail was not returned. The Agency Subordinate concluded that adequate notice was provided to Ms. Goodwin and the informal conference proceeded in her absence.

3. During the course of her employment at Golden Living Center, Martinsville, Virginia, Ms. Goodwin diverted narcotic medication for her personal and unauthorized use, as evidenced by the following: On May 17, 2015, Ms. Goodwin received and signed for a package of 30 Norco (hydrocodone, C-II) tablets for Resident A; however, the medications and sign-out sheet could not be located afterwards.

4. Ms. Goodwin's employment at Golden Living Center was terminated on May 22, 2015.

5. During the course of her employment at Blue Ridge Rehab Center, Martinsville, Virginia, from October 9, 2014 to December 26, 2014, Ms. Goodwin diverted oxycodone (C-II) for her personal and unauthorized use, as evidenced by the following:

a. On October 9 and 16, 2014, Ms. Goodwin documented withdrawing one oxycodone tablet for Resident B; however, she failed to document administration.

b. On October 14, 2014, Ms. Goodwin documented withdrawing one tablet at 8:00 p.m., and documented administering the tablet at 7:00 p.m.

c. Ms. Goodwin documented two instances of withdrawing one tablet on October 18, 2014; however, she documented administering one tablet on October 18 and one on October 19, 2014.

d. On October 23 and 24, 2014, using a permanent black marker, Ms. Goodwin altered the controlled drug record for Resident C and changed the sign out dates from July to October.

e. On December 5, 2014, Ms. Goodwin documented withdrawing two oxycodone tablets for Resident D at 4:00 p.m. and 10:00 p.m.; however, the resident was ordered one tablet every six hours as needed for pain.

6. On December 26, 2014, Ms. Goodwin tested positive for oxycodone for which she did not have a valid prescription.

7. On January 6, 2015, Ms. Goodwin presented a fraudulent medical document to management at Blue Ridge Rehab Center stating that she was prescribed Percocet and excusing her from work for several days in December 2014.

8. Ms. Goodwin's employment at Blue Ridge Rehab Center was terminated on January 7, 2015, for violating the facility's alcohol and drug policy.

9. The investigator for the Department of Health Professions made numerous attempts to contact Ms. Goodwin in writing and by telephone. Ms. Goodwin spoke briefly to the investigator to schedule an interview, but failed to follow through with the appointment.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 3 and 5 constitute a violation of § 54.1-3007(2), (5), (6) and (8) of the Code and 18 VAC 90-20-300(A)(2)(c), (e) and (f) of the Regulations Governing the Practice of Nursing ("Regulations").

2. Finding of Fact No. 6 constitutes a violation of § 54.1-3007(6) of the Code.

3. Finding of Fact No. 7 constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. License No. 0002-069122 of Tammy Goodwin, L.P.N., is INDEFINITELY

SUSPENDED.

2. The license will be recorded as suspended and no longer current.

3. At such time as Ms. Goodwin 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. Goodwin 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.

5. This suspension shall be STAYED upon proof of entry into the Health Practitioners' Monitoring Program ("HPMP") pursuant to Chapter 25.1 of Title 54.1 of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPMP. At such time, the indefinite suspension shall be STAYED and the following terms and conditions shall apply:

a. Ms. Goodwin shall comply with all terms and conditions for the period specified by the HPMP.

b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Tammy Goodwin, L.P.N., and an administrative proceeding shall be held to determine whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:

i. Ms. Goodwin is not in compliance with the terms and conditions specified by the HPMP;

ii. Ms. Goodwin's participation in the HPMP has been terminated;

iii. There is a pending investigation or unresolved allegation against Ms.

Goodwin involving a violation of law, regulation, or any term or condition of this order.

6. Upon receipt of evidence of Ms. Goodwin's participation and successful completion of the HPMP, the Board, at its discretion, may waive Ms. Goodwin's appearance before a Committee and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

7. This Order is applicable to Ms. Goodwin's multistate licensure privileges, if any, to practice practical nursing. For the duration of this Order, Ms. Goodwin shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where she wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

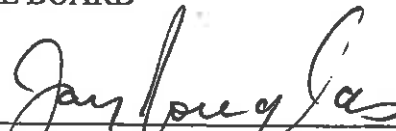
8. Ms. Goodwin shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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. Goodwin failed to appear at the informal conference, this Order shall be considered final. Ms. Goodwin 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. Goodwin 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

Entered: December 14th, 2015

Certified True Copy

By 
Virginia Board of Nursing