

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: JOYCE LESHORE, L.P.N.
License No.:0002-076435

CONSENT ORDER

Pursuant to §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was held before a Special Conference Committee ("Committee") of the Board of Nursing ("Board") on August 3, 2015, in Henrico County, Virginia, to inquire into evidence that Joyce Leshore, L.P.N., may have violated certain laws and regulations governing the practice of nursing in Virginia. Ms. Leshore was present and was represented by Marjorie Alexander, Esquire.

Upon consideration of the evidence presented, the Committee adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Joyce Leshore, L.P.N., was issued License No. 0002-076435 to practice practical nursing in the Commonwealth of Virginia on August 3, 2007. Said license expires on July 31, 2017. Ms. Leshore's primary state of residence is Virginia.
2. By letter dated July 7, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Leshore notifying her that an informal conference would be held on August 3, 2015. The Notice was sent by certified and first class mail to 3584 Dutchman Road, #37, Charlottesville, Virginia 22911, the address of record on file with the Board of Nursing.
3. On November 7, 2014, during the course of her employment with the Laurels at Charlottesville, Charlottesville, Virginia, another nurse removed a 30ml bottle of Roxanol (morphine, C-II) from the Omnicell machine for Ms. Leshore for Patient A, for which Ms. Leshore failed to initiate a narcotic

count sheet. Ms. Leshore subsequently failed to document the administration of two doses of 0.5ml of Roxanol to the patient and failed to properly label and store the bottle.

4. During the course of her employment with the Colonnades Health Care Center, Charlottesville, Virginia:

a. On September 17 and 18, 2013, and on October 3, 2013, Ms. Leshore failed to complete required calibrations on a glucometer and thereafter recorded fictitious readings in the log book indicating she had performed the calibrations as required.

b. On October 3, 2013, Ms. Leshore failed to record the results of a patient's finger stick on the medication administration record.

5. On June 7, 2013, during the course of her employment with Westminster Canterbury of the Blue Ridge, Ms. Leshore appeared to be impaired while on duty in that staff noted that she was "acting strange," inappropriately touching staff members, and had glazed eyes and smelled of alcohol. Ms. Leshore subsequently refused to submit to a reasonable suspicion drug screen.

6. On July 7, 2010, during the course of her employment with Autumn Care, Madison, Virginia:

a. Ms. Leshore failed to respond in a timely manner upon being notified by staff that Resident A required assistance. She also spoke to the resident in an inappropriate tone.

b. Ms. Leshore administered Seroquel to Resident A, but failed to document the order or the administration of the medication.

7. On her application for employment with Charlottesville Health and Rehabilitation Center, Charlottesville, Virginia, in January 2015, Ms. Leshore failed to list her prior employments with and terminations from the Colonnades Health Care Center, Autumn Care, and Westminster Canterbury of the Blue Ridge. She also failed to list her prior employments with Woodmont Health Care Center, Golden Living Center, and Orange County Nursing Home.

8. On April 17, 2015, when interviewed by an investigator with the Virginia Department of Health Professions, Ms. Leshore failed to disclose her prior employments with Culpeper Pediatric, Our Lady of Peace, Maxim Healthcare, Woodmont Health Care Center, Golden Living Center, and Orange County Nursing Home.

9. On June 8, 2015, Ms. Leshore was arrested charged with misdemeanor driving under the influence second offense within ten years. She is scheduled to appear in court on September 4, 2015.

10. On July 10, 2015 Ms. Leshore was admitted to Mary Washington Hospital for detoxification of alcohol. On July 20, 2015, Ms. Leshore was admitted to Boxwood Recovery Center, Culpeper, Virginia, and was discharged on August 3, 2015, at 6:00 a.m. Ms. Leshore told the Committee that this was a 20-day program. Ms. Leshore stated that she is planning to enter into an Intensive Outpatient Program.

11. Ms. Leshore stated that she is currently unemployed and is supported by her children.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(5) and (8) of the Code.
2. Finding of Fact No. 4(a) constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations Governing the Practice of Nursing (“Regulations”).
3. Finding of Fact No. 4(b) constitutes a violation of § 54.1-3007(5) and (8) of the Code.
5. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(6) of the Code.
6. Finding of Fact No. 6(a) constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations.
7. Finding of Fact No. 6(b) constitutes a violation of § 54.1-3007(5) and (8) of the Code.
8. Finding of Fact No. 7 constitutes a violation of § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations.

9. Finding of Fact No. 8 constitutes a violation of § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(n) of the Regulations.

10. Based on the above Findings of Fact, the Committee concludes that Ms. Leshore is a candidate for the Health Practitioners' Monitoring Program ("HPMP").

CONSENT

Joyce Leshore, L.P.N., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to formal fact finding hearing before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to a formal hearing;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice practical nursing in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. License No. 0002-076435 of Joyce Leshore to practice practical nursing is INDEFINITELY SUSPENDED.

2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Leshore 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. Leshore 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 Ms. Leshore's entry into the HPMP. At such time, the indefinite suspension shall be STAYED and the following terms and conditions shall apply:
 - a. Ms. Leshore 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 Ms. Leshore, 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. Leshore is not in compliance with the terms and conditions specified by the HPMP;
 - ii. Ms. Leshore's participation in the HPMP has been terminated;
 - iii. There is a pending investigation or unresolved allegation against Ms. Leshore involving a violation of law, regulation, or any term or condition of this order.
 - c. Upon receipt of evidence of Ms. Leshore's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Leshore's appearance before the Board and conduct an administrative review of this matter.

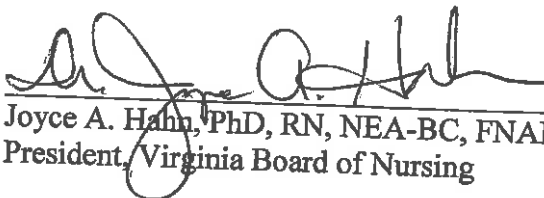
6. This Order is applicable to Ms. Leshore's multistate licensure privileges, if any, to practice practical nursing. For the duration of this Order, Ms. Leshore shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia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

7. Ms. Leshore shall provide the Board with verification that she has completed the following NCSBN online courses: *Documentation: A Critical Aspect of Client Care*; *Medication Errors: Detection & Prevention*; and *Professional Accountability & Legal Liability for Nurses* within 60 days of the entry of this Order. These courses shall not be credited toward the continued competency requirements for the next renewal of her license.

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

Pursuant to §§ 2.2-4023 and 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 public record and shall be made available for public inspection or copying upon request.

FOR THE BOARD



Joyce A. Hahn, PhD, RN, NEA-BC, FNAP
President, Virginia Board of Nursing

ENTERED: _____

11/18/15

SEEN AND AGREED TO:

Joyce Leshore
Joyce Leshore, L.P.N.

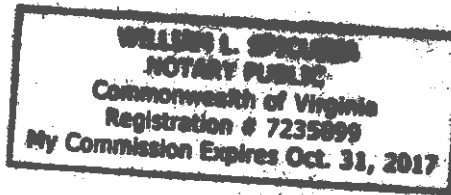
COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Albemarle, TO WIT:

Subscribed and sworn to before me, William L. Spingola, a Notary Public, this ^{21st} 21 day of September, 2015.

My commission expires Oct. 31, 2017

Registration Number 7235899

William L. Spingola
NOTARY PUBLIC



Certified True Copy

By S. S. S. S.
Virginia Board of Nursing