

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: CHRISTY GATLIN, L.P.N.
License No.: 0002-076901

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on February 13, 2012, in Henrico County, Virginia, to inquire into evidence that Christy Gatlin, L.P.N., may have violated certain terms and conditions imposed on her license to practice practical nursing in Virginia, as set forth in the Order of the Board entered on May 5, 2011, and to inquire into evidence that Ms. Gatlin may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Gatlin was present and was not represented by counsel.

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

FINDINGS OF FACT

1. Christy Gatlin, L.P.N., was issued License No. 0002-076901 to practice practical nursing in the Commonwealth of Virginia on October 5, 2007. Said license expires on November 30, 2012. Ms. Gatlin’s primary state of residence is Virginia.
2. By letter dated January 17, 2012, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Gatlin notifying her that an informal conference would be held on February 13, 2012. The Notice was sent by certified and first class mail to 1007 Whitehurst Landing Road, Virginia Beach, Virginia 23464, the address of record on file with the Board of Nursing.

3. Term No. 3 of the Board's Order required Ms. Gatlin to notify her current and future nursing employers that the Board has placed her on probation and provide each employer a complete copy of the Order. Ms. Gatlin failed to notify her employer, Bay Pointe Medical and Rehabilitation Center ("Bay Pointe"), Virginia Beach, Virginia, that she was placed on probation while employed there, or to provide the facility with a complete copy of the Order.

4. Term No. 4 of the Board's Order required Ms. Gatlin to cause performance evaluations from her employer to be submitted to the Board, with the first evaluation due on or about July 4, 2011. Ms. Gatlin failed to notify Bay Pointe of this requirement of her Order.

5. Term No. 5 of the Board's Order required Ms. Gatlin to complete and provide the Board with verification of completion of two NCSBN on-line courses within 30 days of entry of the Order or June 4, 2011. Ms. Gatlin did not complete the medication error course until June 8, 2011, or the documentation course until July 10, 2011.

6. Term No. 6 of the Board's Order required Ms. Gatlin to work in a structured/supervised employment setting satisfactory to the Board for the first 12 months of her probationary period. Ms. Gatlin failed to cause Bay Pointe to provide the Board with information regarding her practice type and level of supervision.

7. Term No. 7 of the Board's Order required Ms. Gatlin to submit self-reports to the Board within 60 days of entry of the Order and quarterly thereafter. Ms. Gatlin did not submit the first self-report until July 11, 2011, and she did not submit the self-report due September 30, 2011, until October 27, 2011. Ms. Gatlin stated to the Committee that she has not submitted the self-report due in December 2011.

8. Term No. 8 of the Board's Order required Ms. Gatlin to return all copies of her license along with a fee of \$5.00 within 10 days of entry of the Order, or May 15, 2011. Ms. Gatlin did not return the copies of her license until July 12, 2011.

9. On May 9, 2011, during the course of her employment with Bay Pointe, Ms. Gatlin failed to transcribe orders from a resident's physician, document medication administration on the Medication Administration Record, and notify the resident's physician of the medication error.

10. On June 30, 2011, Ms. Gatlin failed to complete wound care on a patient assigned to her.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 3 - 8 constitute a violation of Terms 3 – 8 of the Board's Order entered May 5, 2011.

2. Finding of Fact No. 9 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. 10 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.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS that:

1. Christy Gatlin, L.P.N., is hereby REPRIMANDED.

2. Ms. Gatlin shall be CONTINUED on PROBATION for a period of one year of actual nursing practice and subject to the following terms and conditions:

a. The period of probation shall begin on the date that this Order is entered and shall end at such time as Ms. Gatlin has completed one year of active employment as a licensed practical nurse. The license of Ms. Gatlin shall be reinstated without restriction at the completion of the probationary period without a hearing unless there is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 2.2-4000 et seq. and § 54.1-2400(9) et seq. of the Code.

- b. Ms. Gatlin shall inform the Board in writing within ten days of the date she begins nursing practice, or changes employment, or if any interruption in nursing practice occurs. Additionally, Ms. Gatlin shall provide the name and address of each employer to the Board.
- c. Ms. Gatlin shall inform her current nursing each future nursing employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order. If Ms. Gatlin is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.
- d. Performance Evaluations shall be provided, at the direction of Ms. Gatlin, by all nursing employer(s), as provided by the Compliance Division. The first report must be received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends.
- e. Ms. Gatlin shall practice nursing only in a structured /supervised employment setting satisfactory to the Board for the first 12 months after being placed on probation. This employment setting shall provide on-site supervision by a physician, professional nurse, or a licensed practical nurse, who works the same shift and holds an unrestricted license. For all current nursing employment, and before beginning or changing nursing employment during this period, Ms. Gatlin shall have current and all prospective employers provide a written description of the employment setting to the Board office for approval.
- f. Ms. Gatlin shall submit quarterly "Self-Reports" which include a current address, telephone number, and verification of all current employment. These reports shall also include any changes in employment status. The first report must be received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends.

g. This order shall be applicable to Ms. Gatlin's multistate licensure privilege, if any, to practice practical nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Gatlin shall not work outside 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. Gatlin wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

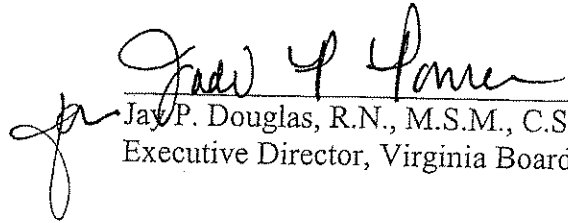
h. Ms. Gatlin shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

i. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. Gatlin and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

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 on request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Gatlin may, not later than 5:00 p.m., on April 11, 2012, notify Jay P. Douglas, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:



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

ENTERED: March 9, 2012

This Order shall become final on April 11, 2012 unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By draham
Virginia Board of Nursing