

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: **CARKEIA MASSENBURG, L.P.N.**
License No.: 0002-070150

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 August 11, 2015, in Henrico County, Virginia, to inquire into evidence that Carkeia Massenburg, L.P.N., may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Massenburg 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. Carkeia Massenburg, L.P.N., was issued License No. 0002-070150 to practice practical nursing in the Commonwealth of Virginia on October 27, 2004. Said license expires on March 31, 2017. Ms. Massenburg's primary state of residence is Virginia.
2. By letter dated July 16, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Massenburg notifying her that an informal conference would be held on August 11, 2015. The Notice was sent by certified and first class mail to 3603 Portsmouth Street, Apt. D., Hopewell, Virginia 23860, the address of record on file with the Board of Nursing.
3. On October 23, 2014, during the course of her employment with Correct Care Solutions, Henrico County Jail, Henrico, Virginia, Ms. Massenburg ordered medications for an inmate using the name of another nurse, for a family member. When the medications were received, and it was discovered that the facility physician had not prescribed the medications, they were placed in a bin to be returned to the

pharmacy. Ms. Massenburg attempted to steal the medications out of the bin. Further, Ms. Massenburg stole prednisone tablets and over-the-counter anti-itch cream from the pharmacy return bin.

4. Ms. Massenburg stated at the informal conference that she did not intentionally use the name of another nurse when she ordered the medication. She stated that she logged in with her name, but she did not know how the other nurse's name appeared on the order.

5. Ms. Massenburg took responsibility for her actions. She stated that she had taken her son to the clinic the day before and thought that he had been misdiagnosed. She stated that she took pictures of his rash and showed them to the staff physician, and asked what that physician thought the rash was and what medication they thought he would need to clear the rash.

6. On October 24, 2014, Ms. Massenburg's employment with Correct Care Solutions was terminated. Ms. Massenburg has held three nursing positions in the last three years. She is currently employed with Hopewell Health Care Center, Hopewell, Virginia. Ms. Massenburg stated that this employer was not aware of the informal conference before the Board.

7. On her application for employment with Hopewell Health Care Center, Hopewell, Virginia, Ms. Massenburg wrote that her reason for leaving Correct Care Solutions was that she wanted more flexible hours and to be closer to home, when, in fact, her employment was terminated for attempting to steal medications from the jail.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(a), (c) and (e) of the Regulations Governing the Practice of Nursing ("Regulations").

2. 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

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. Carkeia Massenburg, L.P.N., is hereby REPRIMANDED.
2. Ms. Massenburg 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 on request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Massenburg may, not later than 5:00 p.m., on October 6, 2015, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., 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:

for Glenn Mitchell-Lively
Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director, Virginia Board of Nursing

ENTERED: September 3, 2015

This Order shall become final on October 6, 2015; unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By D. Swiler
Virginia Board of Nursing