

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: ALESHA PLUMLEY, L.P.N.
N.C. License No.: 075418 with Multistate Privilege

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 April 27, 2015, in Henrico County, Virginia. Alesha Plumley, L.P.N., was not present nor was she represented by legal counsel. Allison Gregory, M.S., R.N., FNP-BC, serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On July 15, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Plumley 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. Alesha Plumley, L.P.N., was issued License No. 0002-070869 to practice practical nursing in Virginia on March 2, 2005. The license expired pursuant to the Nurse Licensure Compact on October 31, 2009. Ms. Plumley also holds License No. 075418 to practice practical nursing in North Carolina, which expired on October 31, 2014. Ms. Plumley's primary state of residence is West Virginia.

2. By letter dated January 23, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Plumley notifying her that an informal conference would be held on February 18, 2015. The Notice was sent by certified and first class mail to P.O. Box 993, Princeton, West

Virginia, 24740, the address of record on file with the Board of Nursing. The Notice was also sent to 67A Old Athens Road, P.O. Box 5041, Princeton, West Virginia, 24740, a secondary address. The informal conference was continued to April 27, 2015. By letter dated March 30, 2015, the Board of Nursing sent an Amended Notice to Ms. Plumley notifying her that an informal conference would be held on April 27, 2015. The receipts for the Notices sent via certified mail were returned unsigned to the Board office on April 14, 2015, and April 23, 2015. The Notices sent via first-class mail were not returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Plumley and the informal conference proceeded in her absence.

3. During the course of her employment with Skyline Nursing and Rehabilitation Center, Floyd, Virginia, in July and August 2014, Ms. Plumley diverted narcotic medication for her personal and unauthorized use. She accomplished this diversion by documenting the withdrawal of medication on the facility's Narcotic Control Sheets and then failing to account for the administration of the medications in accordance with physicians' orders or account for their wastage or return, including:

- a. approximately 14 tablets of hydrocodone 5/325 (Schedule III) prescribed to Patient A;
- b. approximately 16 tablets of hydrocodone 7.5 mg (Schedule III) prescribed to Patient B;
- c. approximately two tablets of Temazepam (Schedule IV) prescribed to Patient C;
- d. an unknown quantity of oxycodone (Schedule II) tablets prescribed to Patient D.
- e. approximately 10 tablets of hydrocodone prescribed to Patient E.

4. During the course of her employment with Richfield Retirement Community, Salem, Virginia, in June 2014, Ms. Plumley diverted approximately 30 tablets of hydrocodone and approximately 30 tablets of oxycodone for her personal and unauthorized use, and, by her own

admission, she altered the narcotic count sheet.

5. During the course of her employment with Heritage Hall, Rich Creek, Virginia, (formerly Riverview Nursing Home), on April 7, 2014, Ms. Plumley was reported to have slurred speech, a dazed look in her eyes, and poor concentration. She refused to submit to a urine drug screen when requested to do so by the facility, and instead resigned.

6. During the course of her employment at Heritage Hall, Rich Creek, Virginia, between February 11, 2014 and April 6, 2014, Ms. Plumley diverted narcotic pain medications from five residents and used the medication for her own unauthorized and/or personal use, as evidenced by the following:

a. Between February 11, 2014 and February 27, 2014, Ms. Plumley documented pulling approximately 25 tablets of Percocet on the Narcotic Record for Resident F. However, she failed to document the administration of approximately 20 of the 25 tablets on the resident's Medication Administration Record ("MAR").

b. On March 3, 2014, and March 5, 2014, Ms. Plumley documented pulling approximately eight tablets of Norco (hydrocodone-acetaminophen – Schedule III) on the Narcotic Record for Resident G; however, she only documented administering five tablets on the resident's MAR.

c. Between February 28, 2014, and March 1, 2014, Ms. Plumley documented pulling approximately five tablets of Percocet for Resident H on the Narcotic Record; however, her count documented on the Narcotic Record was incorrect and she only documented administering two tablets on the resident's MAR.

d. Between February 18, 2014, and March 4, 2014, Ms. Plumley documented pulling approximately 15 tablets of Lortab (hydrocodone-acetaminophen 5/325 mg – Schedule III) on

the Narcotic Record for Resident I; however, she only documented administering approximately ten tablets on the resident's MAR.

e. Between February 10, 2014 and February 26, 2014, Ms. Plumley documented pulling approximately 33 tablets of Lortab 7.5/325 mg for Resident J on the Narcotic Record; however, she only documented administering approximately ten tablets on the resident's MAR.

f. Between February 26, 2014 and February 28, 2014, Ms. Plumley documented pulling approximately ten tablets of Norco 10/325mg on the Narcotic Record for Resident J; however, she only documented administering approximately five tablets on the resident's MAR.

7. During the course of her employment with Heritage Hall, Rich Creek, Virginia, between February 12, 2014, and April 6, 2014, Ms. Plumley signed the names and/or initials of fellow nurses to the Narcotic Book on multiple occasions without their authorization and when they were not working on the unit.

8. Ms. Plumley's employments with Skyline Nursing and Rehabilitation Center, Richfield Retirement Community, and Heritage Hall were all terminated as a result of the above-referenced incidents.

9. Ms. Plumley failed to respond to any of the attempts by the Department of Health Professions investigator to contact her. Her current employment status is unknown.

CONCLUSIONS OF LAW

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

2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations.

3. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(5) and (6) of the Code.
4. Findings of Fact Nos. 6(a) through 6(f) constitute violations of § 54.1-3007(2), (5), and (6) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations.
5. 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)(c) and (e) of the Regulations.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. The multistate privilege and right to renew License No. 0002-070869 of Alesha Plumley, L.P.N., to practice practical nursing is INDEFINITELY SUSPENDED.
2. The license and multistate privilege will be recorded as suspended and no longer current.
3. At such time as Ms. Plumley shall petition the Board for reinstatement of her license and/or privilege, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of practical nursing. Ms. Plumley shall be responsible for any fees that may be required for the reinstatement and renewal of the license and/or privilege prior to issuance of the license and/or privilege to resume practice.

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. Plumley failed to appear at the informal conference, this Order shall be considered final. Ms. Plumley 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. Plumley 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, R.N., M.S.M., 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

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

Entered: *July 24, 2015*

Certified True Copy

By: *[Signature]*
Virginia Board of Nursing