

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

BRANDEE HUDGINS, R.N.

License No.: 0001-207319

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 December 11, 2012, in Henrico County, Virginia, to inquire into evidence that Brandee Hudgins, R.N., may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Hudgins was not 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. Brandee Hudgins, R.N., was issued License No. 0001-207319, to practice professional nursing in the Commonwealth of Virginia on June 20, 2007. Said license expires on October 31, 2013. Ms. Hudgins’ primary state of resident is Virginia.

2. By letter dated November 20, 2012, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Hudgins notifying her that an informal conference would be held on December 11, 2012. The Notice was sent by certified and first class mail to 423 East Ferrell Street, South Hill, Virginia 23970, the address of record on file with the Board of Nursing. The Notice sent by certified mail was accepted and signed for by Rachel Craddock on November 21, 2012. As of December 11, 2012, the Notice sent by first class mail had not been returned to the Board. The Committee Chair concluded that adequate notice was provided to Ms. Hudgins and the informal conference proceeded in her absence.

3. During the course of her employment with Community Memorial Health Center (“Community Memorial”), South Hill, Virginia, Ms. Hudgins stole 40 tablets of Percocet (C-II) from a patient’s personal medications, while the patient was being treated in the emergency room, for her personal and unauthorized use.

4. On July 19, 2012, Patient A was ordered to receive 2 mg IV push of morphine (C-II), at 12:14 and 13:50. Ms. Hudgins removed 14 mgs from the Pyxis, administered 4 mg to the patient, and wasted 4 mg. She failed to account for the remaining 6 mg of morphine.

5. On August 6, 2012, during her shift at Community Memorial, Ms. Hudgins was observed to have slurred speech and was unable to formulate sentences. Ms. Hudgins also failed to place EKG leads in an appropriate manner. Finally, based on her presentation during her shift, Ms. Hudgins was ordered to take a urine drug screen, which was positive for opiates.

6. On August 16, 2012, Ms. Hudgins’ employment with Community Memorial was terminated.

7. On October 8, 2012, Ms. Hudgins entered into a Participation Contract with the Health Practitioners’ Monitoring Program (“HPMP”).

CONCLUSIONS OF LAW

1. Findings of Fact No. 3 and 4 constitute a violation 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.

2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(6) of the Code.

3. Based on the above Findings of Fact, the Committee concludes that Ms. Hudgins is properly enrolled in the HPMP.

ORDER

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

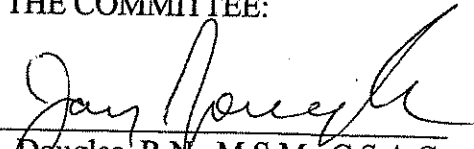
1. The Committee shall TAKE NO ACTION at this time, contingent upon Brandee Hudgins' compliance with all of the terms and conditions of the HPMP for the period specified by the HPMP.
2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Hudgins, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Hudgins shall be noticed to appear before the Board at such time as the Board is notified that:
 - a. Ms. Hudgins is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
 - b. There is a pending investigation or unresolved allegation against Ms. Hudgins involving a violation of law or regulation or any term or condition of this Order; or
 - c. Ms. Hudgins has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Hudgins' participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Hudgins' appearance before the Board and conduct an administrative review of this matter.
3. This order shall be applicable to Ms. Hudgins' multistate licensure privilege, if any, to practice professional nursing. For the duration of this Order, Ms. Hudgins 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. Hudgins wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

4. Ms. Hudgins shall maintain a course of conduct in her capacity as a professional 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. Hudgins may, not later than 5:00 p.m., on March 11, 2013, 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:

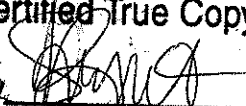


Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director, Virginia Board of Nursing

ENTERED: February 5TH, 2013

This Order shall become final on March 11, 2013 unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By: 

Virginia Board of Nursing