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VA BD OF NURSING

COMMONWEALTH of VIRGINIA

Department of Health Professions

Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367- 4400
FAX (804) 527- 4475

David E. Brown, D.C.
Director

November 7, 2014

Vanessa Tachie-Menson
17520 Bridel Court
Jupiter, FL 33478

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL

DATE 11/2/14

RE: License No.: 0001-161247

Dear Ms. Tachie-Menson:

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your license to practice as a practical nurse in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered November 7, 2014. You are hereby advised that, pursuant to Section 54.1-2409.1 of the Code, any person who practices a profession or occupation after having their license or certificate to do so suspended shall be guilty of a felony. Please return your license to Jay P. Douglas, Executive Director of the Virginia Board of Nursing, at the above address, immediately upon receipt of this letter.

Section 54.1-2409 of the Code further provides that you may apply to the Board of Nursing ("Board") for reinstatement of your license, and shall be entitled to a hearing not later than the next regular meeting of the Board after the expiration of sixty days from the receipt of such reinstatement application. You have the following rights, among others: to be represented by legal counsel, to have witnesses subpoenaed on your behalf, to present documentary evidence and to cross-examine adverse witnesses. The reinstatement of your license shall require the affirmative vote of three-fourths of the members present of the Board of Nursing.

Should you wish to petition the Board of Nursing for reinstatement of your license, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4599.

Sincerely,

[Handwritten signature]

David E. Brown, D.C., Director
Department of Health Professions

Enclosures
Case # 159919

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

**IN RE: VANESSA TACHIE-MENSON, R.N.
License No.: 0001-161247**

ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended ("Code"), I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that the Florida Board of Nursing entered a Final Order revoking the license of Vanessa Tachie-Menson, R.N., to practice professional nursing on October 20, 2014. A certified copy of the Final Order is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the license of Vanessa Tachie-Menson, R.N., to practice as a professional nurse in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the license of Vanessa Tachie-Menson, R.N., will be recorded as suspended and no longer current. Should Ms. Tachie-Menson seek reinstatement of her license pursuant to Section 54.1-2409 of the Code, she shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to its issuance to resume practice.

Pursuant to Sections 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 a public record and shall be made available for public inspection and copying upon request.



David E. Brown, D.C., Director
Virginia Department of Health Professions

ENTERED: 11/7/14



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director


Department of Health Professions

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CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Final Order entered October 20, 2014, regarding Vanessa Tachie-Menson, R.N., is a true copy of the records received from the Florida Board of Nursing.



David E. Brown, D.C.

Date: 11/7/14

FILED DATE - 10-21-14
Department of Health

By: Amey L. Conway
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF NURSING

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2013-19160

License No.: RN 9339130

VANESSA ELAINE TACHIE-MENSON,

Respondent.

FINAL ORDER

This matter appeared before the Board of Nursing at a duly-noticed public meeting on October 3, 2014 in Deerfield Beach, Florida, for a hearing not involving disputed issues of material fact pursuant to Sections 120.569 and 120.57(2), Florida Statutes. Petitioner has filed an Administrative Complaint seeking disciplinary action against the license. A copy of the Administrative Complaint is attached to and made a part of this Final Order. Service of the Administrative Complaint was made upon Respondent by certified mail, return receipt requested. Respondent has not filed an Election of Rights. Petitioner has filed a Motion for Determination of Waiver and Entry of Final Order. Petitioner was represented by Yolanda Green, Assistant General Counsel, Florida Department of Health. Respondent was present.

FINDINGS OF FACT

Since the licensee has not replied to the Administrative Complaint nor contested the factual allegations, the prosecuting



attorney offered the investigative file to prove the facts as alleged. The investigative file was received into evidence and the Board finds the uncontested facts adequately support the allegations. Therefore, the Board adopts as its finding of facts the facts stated in the Administrative Complaint.

CONCLUSIONS OF LAW

Based upon the Findings of Fact, the Board concludes the licensee has violated Section 456.072(1) (m) and 464.018(1) (h), Florida Statutes.

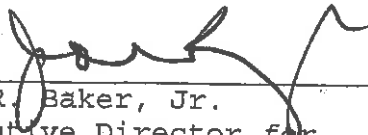
The Board is empowered by Sections 464.018(2) and 456.072(2), Florida Statutes, to impose a penalty against the licensee. Therefore it is ORDERED that:

The license of VANESSA ELAINE TACHIE-MENSON is revoked. Within 30 days the licensee shall return her license to the Board office, 4052 Bald Cypress Way, Tallahassee, Florida 32399 or shall surrender the license to an investigator of the Department of Health. The licensee's employer shall immediately be informed of the revocation in writing from the licensee with a copy to the Board office.

This Final Order shall become effective upon filing with the Clerk of the Department of Health.

DONE AND ORDERED this 20th day of Oct, 2014.

BOARD OF NURSING



Joe R. Baker, Jr.
Executive Director for
Lavigne Ann Kirkpatrick, BS, RN CHAIR

NOTICE OF APPEAL RIGHTS

Pursuant to Section 120.569, Florida Statutes, the parties are hereby notified that they may appeal this Final Order by filing one copy of a notice of appeal with the clerk of the department and by filing a filing fee and one copy of a notice of appeal with the District Court of Appeal within thirty days of the date this Final Order is filed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail and certified mail, return receipt requested to VANESSA ELAINE TACHIE-MENSON, 17520 Bridle Court, Jupiter, FL 33478; by interoffice mail to Lee Ann Gustafson, Assistant Attorney General, PL-01, The Capitol, Tallahassee, FL 32399-1050; and Department of Health-PSU, 4052 Bald Cypress Way, Bin # C-65, Tallahassee, FL 32399-3265 on this 21st day of October, 2014.



Deputy Agency Clerk

7014 1200 0000 0187 3099

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2013-19160

VANESSA ELAINE TACHIE-MENSON, R.N.,

RESPONDENT.

ADMINISTRATIVE COMPLAINT

COMES NOW, Petitioner, Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Nursing against Respondent, Vanessa Elaine Tachie-Menson, R.N., and in support thereof alleges:

1. Petitioner is the state department charged with regulating the practice of nursing pursuant to Section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 464, Florida Statutes.

2. ~~At all times material to this Administrative Complaint,~~

Respondent was a licensed registered nurse (R.N.) within the state of Florida, having been issued license number RN 9339130.

EXHIBIT

A

3. Respondent's address of record is 17520 Bridle Court, Jupiter, Florida 33478.

4. At all times material to this Administrative Complaint, Respondent was employed as an R.N. by Courtyard Gardens Rehabilitation Center ("Courtyard Gardens"), located in Jupiter, Florida.

5. At all times material to this Administrative Complaint, Patient M.C. was a resident at Courtyard Gardens.

6. On or about September 21, 2013, Respondent wrote a fraudulent prescription for Patient M.C. for sixty (60) tablets of Fioricet.

7. Fioricet is used to treat tension headaches that are caused by muscle contractions. Fioricet contains a combination of acetaminophen, butalbital, and caffeine. Acetaminophen is a pain reliever and fever reducer. Butalbital is in a group of drugs called barbiturates. It relaxes muscle contractions involved in a tension headache. Caffeine is a central nervous system stimulant. It relaxes muscle contractions in blood vessels to improve blood flow.

8. Patient M.C. has never had a physician's order for Fioricet.

9. Respondent used the fraudulent prescription to re-order and/or acquire Fioricet tablets on nine (9) separate occasions for personal use between September 21, 2013, and November 17, 2013.

COUNT ONE

10. Petitioner realleges and incorporates paragraphs one (1) through nine (9), as if fully set forth herein.

11. Section 464.018(1)(h), Florida Statutes (2013), subjects a licensee to discipline, including suspension, for unprofessional conduct as defined by board rule.

12. Rule 64B9-8.005(2), Florida Administrative Code, provides that unprofessional conduct includes misappropriating drugs, supplies or equipment.

13. As set forth above, Respondent engaged in unprofessional conduct by misappropriating Fioricet from her employer, Courtyard Gardens, for personal use.

14. Based on the foregoing, Respondent violated Section 464.018(1)(h), Florida Statutes (2013), by engaging in unprofessional conduct as defined by Rule 64B9-8.005(2), Florida Administrative Code, to include misappropriating drugs, supplies or equipment.

COUNT TWO

15. Petitioner realleges and incorporates paragraphs one (1) through nine (9), as if fully set forth herein.

16. Section 456.072(1)(m), Florida Statutes (2013), provides that making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession constitutes grounds for disciplinary action.

17. As set forth above, Respondent made deceptive, untrue, or fraudulent representations, or employed a trick or scheme in or related to the practice of nursing, when she wrote a fraudulent prescription for Fioricet tablets and re-ordered and/or acquired the tablets for her personal use on nine (9) separate occasions.

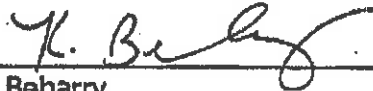
18. Based on the foregoing, Respondent violated Section 456.072(1)(m), Florida Statutes (2013), by making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession.

WHEREFORE, the Petitioner respectfully requests that the Board of Nursing enter an order imposing one or more of the following penalties: permanent revocation or suspension of Respondent's license, restriction of

practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, corrective action, refund of fees billed or collected, remedial education and/or any other relief that the Board deems appropriate.

SIGNED this 24th day of April, 2014.

John H. Armstrong, MD, FACS
State Surgeon General and Secretary of Health



Kristal Beharry
Assistant General Counsel
Florida Bar # 0078070
DOH Prosecution Services Unit
4052 Bald Cypress Way, Bin C-65
Tallahassee, Florida 32399-3265
Telephone: (850) 245-4444
Facsimile: (850) 245-4683
Email: Kristal.Beharry@flhealth.gov

FILED

DEPARTMENT OF HEALTH
DEPUTY CLERK

CLERK: Greg Sanders

DATE: APR 28 2014

/KB

PCP Date: 04/24/14

PCP Members:

Horne + Habgood

NOTICE OF RIGHTS

Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested.

NOTICE REGARDING ASSESSMENT OF COSTS

Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to Section 456.072(4), Florida Statutes, the Board shall assess costs related to the investigation and prosecution of a disciplinary matter, which may include attorney hours and costs, on the Respondent in addition to any other discipline imposed.