

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: TARA S. ALLISON, R.N.
License No.: 0001-240978**

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on August 18, 2014, in Henrico County, Virginia, to inquire into evidence that Tara S. Allison, R.N. may have violated certain laws and regulations governing the professional nursing practice in Virginia. The case was presented by Jan Willis, Adjudication Specialist, Administrative Proceedings Division. James Rutkowski, Assistant Attorney General, was present as legal counsel for the Board. Ms. Allison was not present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Tara S. Allison was issued License No. 0001-240978 to practice professional nursing in the Commonwealth of Virginia on October 4, 2012. The license is scheduled to expire on October 31, 2014. Her primary state of residence is Virginia.
2. Based upon the representation of Jan Willis, Adjudication Specialist, and Commonwealth's Exhibit #1, the Notice of Formal Hearing and Statement of Particulars and Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in her absence.
3. Ms. Allison was employed as a professional nurse at Sentara Norfolk General Hospital ("SNGH"), Norfolk, Virginia from October 15, 2012 until she was terminated from employment on December

12, 2013.

4. The Pharmacy Unit at SNGH conducted a random pharmacy audit for the time period September 2013 to December 2013. This audit revealed: (1) multiple incidents of Ms. Allison dispensing narcotics which contradicted the prescribed frequency ordered for individual patients; (2) multiple discrepancies between when the narcotics were dispensed by Ms. Allison and when the narcotics were administered by her; and (3) the electronic medical records reviewed validated that the patients assigned to Ms. Allison did not receive the additional dose of narcotics dispensed on their behalf.

5. A review of medical records belonging to seven SNGH patients who were assigned to Ms. Allison showed multiple discrepancies related to Ms. Allison's medication administration in that although the patients were given the prescribed dose ordered, a second non-prescribed dose was dispensed from the Omnicell in the name of the patient, but never administered to the patient. This dose of medication was not accounted for.

6. The DHP Senior Investigator summarized the medication administration discrepancies in a chart organized by individual patient which was included in her witness statement.

7. Ms. Allison, by her own admission, had removed controlled medications, such as hydrocodone, oxycodone, and morphine in the form of tablet, elixir and intravenous, from patient supplies at her work location for approximately six months. She stated that these medications were dispensed for her personal use.

8. Ms. Allison explained that she accomplished the diversion of the narcotic pain medications by making "double pulls" from the Omnicell machine. She would dispense or "pull" the medications for her assigned patients per their orders, and then re-enter the Omnicell and pull the same medication a second time for her personal use, typically a few minutes later. She stated she always gave her patients their ordered medications.

9. Ms. Allison, by her own admission, diverted from patient supplies during her work shift sometime between 12:00 a.m. and 2:00 a.m. and ingested 10 mg of Percocet on December 5, 2013, the date of her interview with the DHP Investigator.

10. Ms. Allison voluntarily removed four Percocet (oxycodone/acetaminophen, 10mg/325mg) from her pocket during the interview with the DHP Investigator and stated that she had diverted the medication from patient supplies and intended to keep it for her personal use. A photo was taken of the tablets she removed from her pocket and included in the Report of Investigation. The tablets were returned to SNGH.

11. Ms. Allison acknowledged that her use of narcotic pain medication had escalated during the past two years. She stated in her interview that she currently used up to 100 mg per day of Percocet “when I can get it.” She also admitted that she used injectable Dilaudid and Morphine, and self-administered 1 mg subcutaneously.

12. Ms. Allison, by her own admission, has a history of substance abuse and has been “taking pain pills on and off for as long as I can remember.” She denied ever using any illegal narcotics.

13. Ms. Allison stated that she is diagnosed with chronic pain related to fibromyalgia, arthritis, menstrual pain, migraine headaches and IBS.

14. Ms. Allison sought treatment in 2011 and 2012 related to depressive disorder, anxiety, panic disorder with agoraphobia, post traumatic stress disorder and a history of alcohol abuse. She failed to report these mental health conditions on September 14, 2012 on her application for licensure as a professional nurse with the Virginia Board of Nursing.

15. A criminal records check revealed that Ms. Allison had three criminal convictions which she did not report on September 14, 2012 on her application for licensure as a professional nurse with the Virginia Board of Nursing. The convictions include two DUI convictions, one dated May 9, 2006 in Chesapeake General District Court and one dated July 7, 2006 in Portsmouth General District Court. She also has a conviction for providing a false report to a law enforcement officer in Portsmouth General District Court dated July 25, 2003.

CONCLUSIONS OF LAW

The Board concludes that:

1. Findings of Fact Nos. 4-14 constitute violations of § 54.1-3007(2), (5), and (6) of the Code and 18VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing (“Regulations”).
2. Findings of Fact Nos. 14 and 15 constitute violations of § 54.1-3007(1) of the Code and 18VAC 90-20-300(A)(1)(b) of the Regulations.
3. Ms. Allison is a candidate for participation in the Virginia Health Practitioners’ Monitoring Program (“HPMP”).

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. License No. 0001-240978 issued to Tara S. Allison to practice professional nursing in the Commonwealth of Virginia, is hereby INDEFINITELY SUSPENDED. Said suspension shall be STAYED upon proof that Ms. Allison has entered into a Recovery Monitoring Contract with the Health Practitioners’ Monitoring Program (“HPMP”) and upon the condition that she remains compliant with the terms of a Recovery Monitoring Contract with the HPMP and the following terms and conditions:
 - a. Ms. Allison shall comply with all terms and conditions for the period specified by the HPMP.
 - b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Ms. Allison, and an administrative proceeding shall be held to decide whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:
 - i. Ms. Allison is not in compliance with the terms and conditions specified by the HPMP, or has been terminated from participation in the HPMP, or

ii. There is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of this Order.

2. Upon receipt of evidence of Ms. Allison's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Allison's appearance before the Board, and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

3. At such time as Ms. Allison shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of professional nursing.

4. Ms. Allison is hereby REPRIMANDED.

5. This Order shall be applicable to Ms. Allison's multistate licensure privileges, if any, to practice professional nursing. It is further ordered that for the duration of this Order, Ms. Allison may not work outside of 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 she wishes to work.

6. Ms. Allison 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.

FOR THE BOARD

per *Glenn Mitchell*
Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

October 3, 2014
ENTERED

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy

By *doahem*
Virginia Board Of Nursing