

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: CAROLINA JOHNSON, L.P.N.  
License No.: 0002-077824

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 October 20, 2014, in Henrico County, Virginia, to inquire into evidence that Carolina Johnson, L.P.N., may have violated certain laws and regulations governing nursing practice in Virginia. The case was presented by Cynthia E. Gaines, Adjudication Specialist, Administrative Proceedings Division. James Rutkowski, Assistant Attorney General, was present as legal counsel for the Board. Ms. Johnson 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. Carolina Johnson, L.P.N., was issued License No. 0002-077824 to practice professional nursing in the Commonwealth of Virginia on March 26, 2008. Said license was summarily suspended by Order of the Board entered on September 25, 2014. Ms. Johnson's primary state of residence is Virginia.
2. Based upon the representations of Cynthia E. Gaines, Adjudication Specialist, and Commonwealth's Exhibit No.1, the Notice of Formal Hearing and Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in her absence.
3. During the course of her employment with Westminster Canterbury of Richmond, Richmond, Virginia, between May 30, 2014, and July 30, 2014, by her own admission, Ms. Johnson diverted liquid morphine (C-II) and 39 Percocet tablets (C-II) for her own personal and unauthorized use. Ms. Johnson

achieved this diversion by falsely documenting that Resident A had pain and that she withdrew and administered the resident's Percocet to him. With regard to Resident B's liquid morphine, Ms. Johnson removed the morphine from its bottle and refilled the bottle with water.

4. During the course of her employment with Dogwood Village of Orange County, Orange, Virginia, on March 18 – 19, 2013, Ms. Johnson diverted 7 cc of liquid oxycodone (C-II) for her own personal and unauthorized use.

5. Ms. Johnson has an admitted addiction to narcotic medications and frequent use of marijuana. By her own admission, Ms. Johnson purchased narcotic medications from street dealers and doctor shopped to obtain narcotic medications. Between August 15, 2012, and June 30, 2014, Ms. Johnson received fifteen prescriptions for opiates and eight prescriptions for benzodiazepines from twelve different providers.

6. On her application for employment with Westminster Canterbury of Richmond, dated February 24, 2014, Ms. Johnson failed to include her employment with Dogwood Village of Orange County, Orange, Virginia, where she was terminated following the discovery of missing liquid oxycodone (C-II) her shift.

### CONCLUSIONS OF LAW

The Board concludes that:

1. Findings of Fact Nos. 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) and (e) of the Regulations Governing the Practice of Nursing ("Regulations").
2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(6) of the Code.
3. Finding of Fact No. 6 constitutes a violation of § 54.1-3007(2) of the Code and 19 VAC 90-20-300(A)(2)(e) of the Regulations.

### ORDER

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

follows:

1. License No. 0002-077824, issued to Carolina Johnson, L.P.N., to practice practical nursing in the Commonwealth of Virginia is hereby CONTINUED on INDEFINITE SUSPENSION.
2. The license of Ms. Johnson will be recorded as SUSPENDED. Should Ms. Johnson seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license privilege prior to issuance of her license to resume practice.
3. This Order shall be applicable to Ms. Johnson's multistate licensure privileges, if any, to practice practical nursing.
4. Said suspension shall be STAYED upon proof that Ms. Johnson has entered into a contract with the Health Practitioners' Monitoring Program ("HPMP") and upon the condition that she remain compliant with the terms of the HPMP and the following terms and conditions:
  - a. Ms. Johnson 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. Johnson, 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. Johnson 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.
5. Upon receipt of evidence of Ms. Johnson's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Johnson's appearance before the Board, and conduct an administrative review of this matter, at which time she may be issued an unrestricted

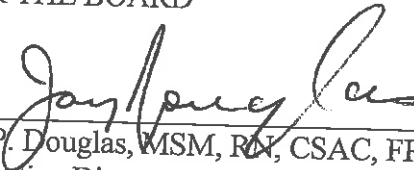
license.

6. This Order shall be applicable to Ms. Johnson's multistate licensure privileges, if any, to practice professional nursing. It is further ordered that for the duration of this Order, Ms. Johnson 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.

7. Ms. Johnson shall maintain a course of conduct in her capacity as a 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.

FOR THE BOARD



Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director  
Virginia Board of Nursing

November 18<sup>TH</sup>, 2014  
ENTERED

Certified True Copy

By dgraham  
Virginia Board Of Nursing

**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.