

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: TAMBI SMITH, R.N.
License No.: 0001-201184

CONSENT ORDER

Pursuant to §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), an informal conference was held before a Special Conference Committee (“Committee”) of the Board of Nursing (“Board”) on August 11, 2014, in Henrico County, Virginia, to inquire into evidence that Tambi Smith, R.N., may have violated certain laws and regulations governing the practice of nursing in Virginia. Ms. Smith was not present and was not represented by counsel.

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

FINDINGS OF FACT

1. Tambi Smith, R.N. was issued License No. 0001-201184 to practice professional nursing by the Virginia Board of Nursing on June 12, 2006. Said license is set to expire on March 31, 2015. Ms. Smith also holds License No. RN1025757 to practice professional nursing in the District of Columbia, which is scheduled to expire on June 30, 2016. Ms. Smith previously held License No. 1-091479 to practice professional nursing in the state of Alabama, which expired on December 31, 2012, and License No. RN099552 to practice professional nursing in the state of Louisiana. Ms. Smith’s primary state of residence is Virginia.

2. By letter dated July 15, 2014, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Smith notifying her that an informal conference would be held on August 11, 2014. The Notice was sent by certified and first class mail to 2725 Celestial Drive, Woodbridge, Virginia, 22191, the

address of record on file with the Board of Nursing. The receipt for the Notice sent via certified mail was signed by Ms. Smith and returned to the Board office on August 4, 2014. The Notice sent via first-class mail was not returned to the Board office. The Committee Chair concluded that adequate notice was provided to Ms. Smith and the informal conference proceeded in her absence.

3. During the course of her employment with Interim Healthcare, in September 2013, Ms. Smith removed Client A's impacted stool without a physician's order and she accessed Client C's implanted Port-a-Cath without a physician's order.

4. Client A, who was alert and oriented, reported feeling violated by Ms. Smith following the impaction removal. Client A also stated that Ms. Smith frequently entered her kitchen and ate Client A's food. Ms. Smith continued to do so after Client A told her to stay out of the kitchen.

5. When asked by her supervisor why she had accessed Client C's Port-a-Cath without a physician's order, Ms. Smith stated to the supervisor, "that's just a technicality."

6. Ms. Smith failed to perform wound care on Client B, as ordered by the client's physician. Ms. Smith's failure to perform this wound care resulted in the wound further enlarging.

7. Ms. Smith's supervisor reported that Ms. Smith had been observed sleeping in clients' driveways, and had not shown up for home visits until after 5:00 p.m., despite scheduled working hours of 8:00 a.m. through 5:00 p.m.

8. Ms. Smith's employment with Interim Healthcare was terminated after one month.

9. On June 6, 2002, Ms. Smith voluntarily surrendered her license to practice professional nursing in Louisiana as part of a disciplinary action against her by that state's Board of Nursing for substandard care. Specifically:

(a) She failed to make an initial assessment on a new post-operative patient three hours into her shift, and she was unable to give basic information about the patient at the physician's request;

(b) For a new post-operative amputee with a PEG tube, she failed to perform residual volume checks every four hours as ordered, and she failed to turn the patient every two hours as ordered;

(c) For a patient with an order for intravenous Vancomycin one gram per day, she changed the dosage time from 3:00 a.m. to 9:00 p.m. without a physician's order, causing a missed dose; and

(d) For a patient with an order to administer a 1000-cc fluid bolus, although hospital policy required that a bolus be administered in two hours, Ms. Smith failed to seek guidance and failed to follow nursing standards before slowing the rate to eight hours.

10. On November 21, 2003, Ms. Smith was placed on probation by the Alabama Board of Nursing in connection with the events that took place in Louisiana.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(a) and (f) of the Regulations Governing the Practice of Nursing ("Regulations").

2. Finding of Fact No. 6 constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations.

CONSENT

Tambi Smith, R.N., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to a formal fact finding hearing before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to a formal hearing;

5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;

6. She consents to the entry of the following Order affecting her right to practice professional nursing in Virginia.


ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. License No. 0001-201184 of Tambi Smith, R.N., is REVOKED.
2. The license of Ms. Smith will be recorded as REVOKED and no longer current. Pursuant to § 54.1-2408.2 of the Code, should Ms. Smith seek reinstatement of her license after three years, she shall be responsible for any fees that may be required for the reinstatement of her license prior to issuance of her license to resume practice. The reinstatement of Ms. Smith's license shall require the affirmative vote of three-fourths of the members at a meeting of the Board.
3. This revocation applies to any multistate privilege to practice professional nursing.

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 upon request.

FOR THE BOARD



Jane Ingalls, R.N., Ph.D.
President, Virginia Board of Nursing

ENTERED: 16 Sept 2014

SEEN AND AGREED TO:

Tambi S. Smith
Tambi Smith, R.N.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Prince William, TO WIT: Tambi Smith

Subscribed and sworn to before me, Luis Chicas, a Notary Public, this 03 day of September, 2014.

My commission expires 06/30/2017

Registration Number 7574937

[Signature]
NOTARY PUBLIC



Certified True Copy

By [Signature]
Virginia Board of Nursing