

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: MARY C. JOHNSTON, R.N.  
License No.: 0001-214700**

**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 August 4, 2014, in Henrico County, Virginia, to inquire into evidence that Mary C. Johnston, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia. Ms. Johnston was present and was represented by Dorinda Burton, Esquire.

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

**FINDINGS OF FACT**

1. Mary C. Johnston, R.N., was issued License No. 0001-214700 to practice professional nursing in the Commonwealth of Virginia on August 6, 2008. Said license expires on August 31, 2016. Her primary state of residence is Virginia.
2. By letter dated June 18, 2014, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Johnston notifying her that an informal conference would be held on August 4, 2014. The Notice was sent by certified and first class mail to 1161 Nansemond Parkway, Lot 223, Suffolk, Virginia, 23434, the address of record on file with the Board of Nursing.
3. During the course of her employment with Maryview Medical Center, Portsmouth, Virginia, on July 21-22, 2009, during the 7:00 p.m. to 7:00 a.m. shift, while assigned to provide care to Patient A:

a. Ms. Johnston failed to properly monitor Patient A's intravenous infusion of morphine to determine her level of sedation. At or about 1700 hours, the infusion rate was increased to 4mg/hour. At or about 1930 hours, Ms. Johnston documented on the patient controlled analgesia (PCA) flowsheet that Patient A's pain level was seven (which had decreased from a level of eight). At or about 2200 hours, Ms. Johnston documented in the nurse's notes that Patient A was unable to keep her eyes open; however, Ms. Johnston administered temazepam, which was ordered PRN for sleep, and tramadol. At or about 2300 hours, Ms. Johnston documented in the nurse's notes that Patient A's pain level remained at seven. Ms. Johnston did not attempt to rouse the patient until 0600 hours and 0700 hours, at which time, she could not wake the patient up.

b. By her own admission, Ms. Johnston failed to review Patient A's vital signs recorded at 2400 hours, thereby failing to take any appropriate action. At that time, Patient A had a pulse of 156, respiration of 38 and saturation of peripheral oxygen (SP02) at 38.

c. On July 22, 2009, at 0445 hours, Ms. Johnston contacted the on-call physician regarding Patient A's panic lab values; however, she failed to fully apprise him of Patient A's condition, to include her diagnosis, vital signs and level of sedation.

4. Ms. Johnston's employment at Maryview Medical Center was terminated in July 2009.

5. On the application for employment with Renal Advantage, Inc., dated November 29, 2010, Ms. Johnston failed to disclose that her reason for leaving Maryview Medical Center was termination.

6. Since June 5, 2013, Ms. Johnston has been employed as a home health nurse at Gentiva, Virginia Beach, Virginia.

#### 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)(b) and (f) of the Regulations Governing the Practice of Nursing ("Regulations").

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

### ORDER

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

1. Mary C. Johnston, R.N., is hereby REPRIMANDED.

2. Ms. Johnston shall provide the Board with verification that she has completed the following NCBSN online courses within 90 days of the date this Order is entered: Sharpening Critical Thinking Skills and Professional Accountability & Legal Liability for Nurses.

3. Ms. Johnston 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.

4. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Mary C. Johnston, R.N., and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

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. Johnston may, not later than 5:00 p.m., on **September 28, 2014**, 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:

*Gloria Mitchell*  
for Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.  
Executive Director, Virginia Board of Nursing

ENTERED: August 26, 2014

This Order shall become final on September 28, 2014, unless a request for a formal administrative hearing is received as described above.

**Certified True Copy**

By L. Robinson-Hewes  
Virginia Board of Nursing