



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions

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

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June 18, 2014

Mary C. Johnston, R.N.
1161 Nansemond Pkwy., Lot 223
Suffolk, VA 23434

CERTIFIED MAIL
71969008911191941273

Re: VA License No.: 0001-214700
Expiration Date: August 31, 2014

Dear Ms. Johnston:

This is official notification that an informal conference will be held pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), on August 4, 2014, at 10:30 a.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233. You may be represented by an attorney at the conference. This informal conference will be convened as a public meeting pursuant to § 2.2-3700 *et seq.* of the Code.

The Special Conference Committee ("Committee"), which is comprised of at least two members of the Virginia Board of Nursing ("Board"), will inquire into allegations that you may have violated certain laws and regulations governing professional nursing practice in Virginia.

Specifically:

1. During the course of your employment with Maryview Medical Center, Portsmouth, Virginia, you may have violated § 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") in that, on or about 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. You 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, you 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, you documented in the nurse's notes that the patient was unable to keep her eyes open; however, you administered temazepam, which was ordered PRN for sleep, and tramadol. At or about 2300 hours, you documented in the nurse's notes that her pain level

remained at seven. You did not attempt to rouse the patient until 0600 hours and 0700 hours, at which time, you could not wake her up.

b. By your own admission, you 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 or about July 22, 2009, at 0445 hours, you contacted the on-call physician regarding Patient A's panic lab values; however, you failed to fully apprise him of Patient A's condition, to include her diagnosis, vital signs and level of sedation.

2. You may have violated § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations in that, on the application for employment with Renal Advantage, Inc., dated November 29, 2010, you failed to disclose that your reason for leaving Maryview Medical Center was termination.

Please see Attachment I for the name of the patient referred to above.

In its deliberations, the Committee may use the Sanction Reference Points System, as contained in the Sanction Reference Manual. The manual, which is a guidance document of the Board, may be accessed at <http://www.dhp.virginia.gov/nursing>. Please click on *Guidance Documents*, then select #90-7. You may also request a paper copy from the Board office by calling (804) 367-4515.

After the informal conference, the Committee is authorized by § 54.1-2400(10) of the Code to take any of the following actions:

- If the Committee finds that there is insufficient evidence to warrant further action or that the charges are without foundation, the Committee shall notify you by mail that your record has been cleared of any charge which might affect your right to practice nursing in the Commonwealth;
- The Committee may place you on probation for such time as it may designate and subject to such terms and conditions as it may deem appropriate;
- The Committee may reprimand you;
- The Committee may impose a monetary penalty.

Further, the Committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing. If the Committee is of the opinion that suspension or revocation may be justified, the Committee may offer you a Consent Order for suspension or revocation in lieu of a formal hearing.

If you fail to appear at the informal conference, the Committee may proceed to hear the case in your absence and may take any of the actions outlined above. At least ten days prior to the scheduled date of the conference, please inform this office at (804) 367-4515, or in writing at the address listed above, of your telephone number and whether you intend to appear at the informal conference.

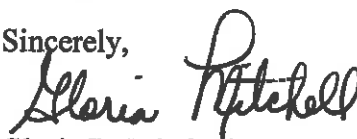
To facilitate this proceeding, you should submit five copies of any documents you wish the Committee to consider to the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive,

Suite 300, Henrico, Virginia 23233, by July 28, 2014. Your documents may not be submitted by facsimile or email.

You have the right to the information on which the Board will rely in making its decision. Therefore, I have enclosed a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the original notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of nursing and other healing arts in Virginia cited in this notice, can be found on the Internet at <http://leg1.state.va.us>. To access this information, please click on the *Code of Virginia* for statutes and *Virginia Administrative Code* for regulations.

Sincerely,



Gloria D. Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director

GDM/yrf

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Special Conference Committee Members
Tammie D. Jones, Adjudication Specialist
Kevin Almeida, Senior Investigator (Case no. 150048)
Dorinda P. Burton, Esquire