

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: TRACY HOLMES (LAMB), L.P.N.
License No.: 0002-042828**

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on May 28, 2014, in Henrico County, Virginia. Tracy Holmes (Lamb), L.P.N. was not present nor was she represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On July 16, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Holmes (Lamb) was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Tracy Holmes (Lamb), L.P.N., was issued License No. 0002-042828 to practice practical nursing in Virginia on May 23, 1990. The license expired on June 30, 2014. Ms. Holmes (Lamb)'s Primary state of residence is Virginia.

2. By letter dated May 1, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Holmes (Lamb) notifying her that an informal conference would be held on May 28, 2014. The Notice was sent by certified and first class mail to 1432 Eddystone Drive, Virginia Beach, Virginia 23464, the address of record on file with the Board of Nursing. According to the United States

Postal Service, the Notice sent by certified mail was delivered on May 2, 2014. As of May 28, 2014, the Notice sent by first class mail had not been returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Ms. Holmes (Lamb) and the informal conference proceeded in her absence.

3. During the course of her employment as charge nurse at Our Lady of Perpetual Help, Virginia Beach, Virginia, by her own admission:

a. On October 7, 2013, Ms. Holmes (Lamb) failed to assess Resident A after being told by a certified nurse aide that he had vomited. Further, Ms. Holmes (Lamb) falsified the resident's records to reflect that she performed an assessment.

b. On March 27, 2013, it took Ms. Holmes (Lamb) three attempts to complete the narcotics count. She was noted to be unsteady on her feet and generally unkempt in her appearance. The Director of Nursing for Our Lady of Perpetual Help stated that Ms. Holmes (Lamb)'s "handwriting alone was alarming."

4. Ms. Holmes (Lamb) began employment with Our Lady of Perpetual Help in October 2004, and was terminated on October 10, 2013.

5. By her own admission, Ms. Holmes (Lamb) has been diagnosed with bipolar disorder and has had multiple voluntary psychiatric hospitalizations. Most recently on January 11, 2013, Ms. Holmes (Lamb) was admitted to Virginia Beach Psychiatric Center, Virginia Beach, Virginia, with a diagnosis of schizoaffective disorder, continuous, severe and a Global Assessment of Functioning score of 10-20, which indicates persistent danger of severely hurting oneself.

6. Ms. Holmes (Lamb) has had multiple voluntary psychiatric admissions. She stated to the investigator for the Department of Health Profession that she was an inpatient three or four times between 1993 and 1996 for overdoses. Ms. Holmes (Lamb) was also admitted in 2005 for "overdosing", and

hospitalized in December 2012, for stabbing herself in the stomach.

7. At the request of the investigator, Ms. Holmes (Lamb) submitted to a urine drug screen which was positive for alcohol.

8. Ms. Holmes (Lamb) has held two positions since 2013 and was terminated from both.

CONCLUSIONS OF LAW

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

2. Finding of Fact No. 3(b) constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. The right of Tracy Holmes (Lamb) to renew License No. 0002-042828 to practice practical nursing in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED.

2. The license will be recorded as suspended and no longer current.

3. At such time as Ms. Holmes (Lamb) shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of practical nursing. Ms. Holmes (Lamb) shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.

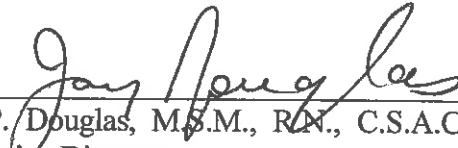
4. This suspension applies to any multistate privilege to practice practical nursing.

Pursuant to § 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 a public record, and shall be made available for public

inspection and copying upon request.

Since Ms. Ms. Holmes (Lamb) failed to appear at the informal conference, this Order shall be considered final. Ms. Ms. Holmes (Lamb) has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Holmes (Lamb) has 30 days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

FOR THE BOARD



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

Entered: August 6th, 2014

Certified True Copy

By Y. Robinson-Flowers
Virginia Board of Nursing
8-6-2014