

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

SHANNON FIORELLA MILLER, R.N.

License No.: 0001-229047

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 December 3, 2012, in Henrico County, Virginia, to inquire into evidence that Shannon Fiorella Miller, R.N., may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Miller was present and was not represented by counsel.

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

FINDINGS OF FACT

1. Shannon Fiorella Miller, R.N., was issued License No. 0001-229047 to practice professional nursing in the Commonwealth of Virginia on February 2, 2011. Said license expires on April 30, 2014. Ms. Miller’s primary state of residence is Virginia.
2. By letter dated November 8, 2012, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Miller notifying her that an informal conference would be held on December 3, 2012. The Notice was sent by certified and first class mail to 124 Eastlawn Drive, Hampton, Virginia 23664, the address of record on file with the Board of Nursing.
3. During the course of her employment with Riverside Regional Medical Center (“Riverside Regional”), Newport News, Virginia, between March 3, 2012, and March 4, 2012, while working the overnight shift, Ms. Miller increased a patient’s intravenous propofol (Diprivan, C-IV), from 15 mcg to 555

ml/hr drip rate, which was above the dosage ordered by the treating physician, prior to assisting another nurse with his personal care.

4. Ms. Miller raised the patient's propofol from 15 mcg to 1125.3 mcg per kg per minute.
5. On March 12, 2012, Ms. Miller sent an e-mail to her supervising nurse manager acknowledging that she was involved in an inappropriate event on March 3, 2012.
6. On March 14, 2012, Ms. Miller was terminated from Riverside Regional.
7. Ms. Miller stated that she is currently employed with Virginia Commonwealth University Medical Center ("VCU"), a position she obtained through American Travelers, Boca Raton, Florida. Ms. Miller stated that she notated her termination from Riverside Regional on her application for employment with American Travelers, but did not elaborate on the circumstances of her termination.
8. Ms. Miller stated that her supervisor at VCU was not aware of the informal conference.

CONCLUSIONS OF LAW

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)(f) of the Regulations Governing the Practice of Nursing.

ORDER

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

1. Shannon Fiorella Miller, R.N., is hereby REPRIMANDED.
2. Ms. Miller shall be placed on PROBATION for a period of not less than one year of actual nursing practice and subject to the following terms and conditions:
 - a. The period of probation shall begin on the date that this Order is entered and shall end at such time as Ms. Miller has completed 12 months of active employment as a professional nurse. The license of Ms. Miller shall be reinstated without restriction at the completion of the probationary period without a hearing unless there is a pending investigation or unresolved allegation involving a violation of law, regulation or any

term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 2.2-4000 et seq. and § 54.1-2400(9) et seq. of the Code.

b. Ms. Miller shall inform the Board in writing within ten days of the date she begins nursing, or changes employment, or if any interruption in nursing practice occurs. Additionally, Ms. Miller shall provide the name and address of each employer to the Board.

c. Ms. Miller shall inform her current nursing employer and each future nursing employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order. If Ms. Miller is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.

d. Performance Evaluations shall be provided, at the direction of Ms. Miller, by all nursing employer(s), as provided by the Compliance Division. The first report must be received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September, and December until the period of probation ends.

e. Ms. Miller shall provide evidence that she has completed the following NCSBN online courses within 30 days of entry of the Order: *Documentation: A Critical Aspect of Client Care*; *Ethics of Nursing Practice*; and *Medication Errors: Detection & Prevention*.

f. Ms. Miller shall practice nursing only in a structured /supervised employment setting satisfactory to the Board for 12 months after being placed on probation. This employment setting shall provide on-site supervision by a physician /professional nurse who works the same shift, and holds an unrestricted license. For all current nursing employment, and before beginning or changing nursing employment during this period, Ms. Miller shall have current and all prospective employers provide a written description of the employment setting to the Board office for approval.

g. Ms. Miller shall provide all current and future treating practitioners with a complete copy of this Order and shall execute an Authorization for Disclosure of Information form providing for unrestricted communication between the Board and any court-appointed probation or parole officers and any consultants designated by the Board.

h. Ms. Miller shall submit quarterly “Self-Reports” which include a current address, telephone number, and verification of all current employment. These reports shall also include any changes in employment status. The first report must be received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September, and December until the period of probation ends.

i. Ms. Miller shall return all copies of her license to practice as a professional nurse to the Board office within ten days of the date of entry of this Order along with a payment of a fee of \$15.00. Upon receipt, the Board shall issue a new license marked “Valid in Virginia Only; Probation with Terms.”

3. This order shall be applicable to Ms. Miller’s multistate licensure privilege, if any, to practice professional nursing. For the duration of this Order, Ms. Miller shall not work outside 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 Ms. Miller wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

4. Ms. Miller 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.

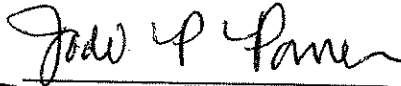
5. Any violation of the stated terms and conditions contained in this Order, or failure to comply with all terms of this Order within five years of the date of entry of the Order, shall be reason for suspending or

revoking the license of Ms. Miller and an administrative proceeding may be held to determine whether her 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. Miller may, not later than 5:00 p.m., on February 27, 2013, 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:


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

ENTERED: January 25, 2013

This Order shall become final on February 27, 2013 unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 
Virginia Board of Nursing