

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: **TINA D. MESSNER, L.P.N.**
License No.: 0002-076414

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Tina D. Messner, L.P.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Messner's license to practice practical nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Tina D. Messner, L.P.N., was issued License No. 0002-076414 to practice practical nursing by the Virginia Board of Nursing on August 2, 2007. Said license is set to expire on October 31, 2015. Her primary state of residence is Virginia.
2. During the course of her employment with Virginia Mennonite Retirement Community, Harrisonburg, Virginia, on November 6, 2013, Ms. Messner failed to document a nurse practitioner's verbal order to withhold administration of a resident's Norco (hydrocodone combination product, Schedule III) due to the resident's lethargy. Further, she administered Norco to the resident at approximately 1:30 p.m. contrary to the nurse practitioner's order.
3. The resident was found unresponsive at approximately 3:30 p.m. She was given Narcan and was transported to the hospital. There was no long-term harm to the resident.
4. Ms. Messner's employment with Virginia Mennonite Retirement Community was terminated on November 12, 2013.

CONCLUSIONS OF LAW

Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code of Virginia (1950), as amended (“Code”) and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing.

CONSENT

Tina D. Messner, L.P.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 an informal fact finding conference 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 an informal conference;
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 practical 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. Tina D. Messner, L.P.N., is hereby REPRIMANDED.

2. Ms. Messner shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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

SO *Brenda K. [unclear] RD, MS*
Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director, Virginia Board of Nursing

ENTERED: *June 11, 2014*

SEEN AND AGREED TO:

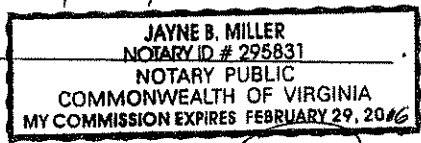
Tina D. Messner
Tina D. Messner, L.P.N.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF *Harrisonburg*, TO WIT:

Subscribed and sworn to before me, *Jayne B. Miller*, a Notary Public, this *29th* day of *May*, 20*14*.

My commission expires *2/29/2016*

Registration Number _____



Jayne B. Miller
NOTARY PUBLIC

Certified True Copy

By *[Signature]*
Virginia Board of Nursing