

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

TAMARA MOWLES BRYAN, L.P.N.

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 August 6, 2008, in Henrico County, Virginia. Ms. Bryan was present and was not represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On September 17, 2008, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Bryan 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. Tamara Mowles Bryan, L.P.N., was issued License No. 0002-055221 to practice practical nursing in Virginia on September 9, 1997. The license is current and expires January 31, 2010.
2. By letter dated June 25, 2008, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Bryan notifying her that an informal conference would be held on August 6, 2008. The Notice was sent by certified and first class mail to 1873 Morgans Mill Road, Goodview, Virginia 24095, the address of record on file with the Board of Nursing.
3. During the course of her employment with Carrington Place Health and Rehabilitation

Center, Daleville, Virginia, on March 29, 2006, Ms. Bryan used excessive force to administer medications to Resident A. Ms. Bryan aggressively poured several cups of water down the resident's mouth and told her she was "going to take the d\_mn pill," or words to that effect. As a result of this incident, her employment was terminated on April 27, 2006.

4. Ms. Bryan denied the allegation at Carrington Place and stated that the water spilled on the resident because the resident was kicking and hit Ms. Bryan's arm, thus spilling the water. Ms. Bryan stated that she worked PRN at Carrington Place and this incident was not brought to her attention until April 26, 2006; however, the incident took place March 29, 2006.

5. During the course of her employment with Catawba Hospital, Catawba, Virginia, on May 4, 2007, Ms. Bryan used excessive force to administer medications to Patient B. Ms. Bryan held the patient's mouth open and forced a cup of pills into her mouth, followed by a cup of juice. Further, when the patient rejected the medications and asked why she had to take all of the pills at one time, Ms. Bryan stated, "we tried that yesterday and you didn't want to take them. You're crazy; that's why you are here," or words to that effect. As a result of this incident, her employment was terminated immediately. Ms. Bryan also denied this allegation.

6. Ms. Bryan falsely represented information on an application for employment with Carilion Roanoke Memorial Hospital dated May 5, 2007, in that Ms. Bryan failed to indicate that her employment was terminated from Catawba Hospital and she failed to list her employment at Carrington Place. Further, Ms. Bryan answered "no" to the question "have you been warned, disciplined or terminated by an employer including Carilion in the last five years." Ms. Bryan stated that she had completed the application prior to the incident at Catawba and submitted the application to Carilion without proofreading it.

**CONCLUSIONS OF LAW**

1. Finding of Fact #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 (“Regulations”)
2. Finding of Fact #5 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.
3. Finding of Fact #6 constitutes a violation of § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(e) of Regulations.

**ORDER**

WHEREFORE, it is hereby ORDERED as follows:

1. Tamara Mowles Bryan, L.P.N., is hereby REPRIMANDED.
2. Ms. Bryan shall provide the Board with verification that she has completed a National Council of State Boards of Nursing (“NCSBN”) course on ethics within 60 days of the entry of this Order.
3. Ms. Bryan 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.

This Order is subject to appeal to the Board. If Ms. Bryan desires a formal administrative hearing before the Board pursuant to §§ 2.2-4020 and 2.2-4021 of the Code, she must notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, in writing, within thirty-three (33) days from the date of service of this Order. Upon the filing of a request for the hearing with the Executive Director, this Order shall be vacated.

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.

FOR THE BOARD

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

Entered: October 8<sup>th</sup>, 2008

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed this day to Tamara Mowles Bryan, L.P.N., at 1873 Morgans Mill Road, Goodview, Virginia 24095.

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

October 8<sup>th</sup>, 2008  
DATE

**Certified True Copy**

By dpraham  
**Virginia Board of Nursing**