

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: TAMMY GARRISON, R.N.**  
**License No.: 0001-150586**

**ORDER**

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(7)/(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on March 26, 2014, in Henrico County, Virginia. Tammy Garrison, R.N., 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 May 21, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Garrison 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. Tammy Garrison, R.N., was issued License No. 0001-150586 to practice professional nursing in Virginia on September 5, 1996. The license is scheduled to expire on September 30, 2015. Her primary state of residence is Virginia.
2. By letter dated February 25, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Garrison notifying her that an informal conference would be held on March 26, 2014. The Notice was sent by certified and first class mail to 1151 Long Acre Road, Palmyra, Virginia 22963, the address of record on file with the Board of Nursing.
3. During the course of her employment with Western State Hospital, Staunton, Virginia:
  - a. On July 30, 2013:
    - i. Ms. Garrison drew back a blood specimen into a pre-filled saline solution.
    - ii. Ms. Garrison pre-poured patients' 12:00 p.m. medications at 10:00 a.m.

- iii. Ms. Garrison crushed a patient's diazepam without a physician's order.
- iv. Ms. Garrison administered a whole tablet of lamotrigine to a patient instead of the

ordered half-tablet.

b. On July 29, 2013, co-workers observed an odor of alcohol about Ms. Garrison, as well as difficulty with instructions, shakiness, and bloodshot eyes. She acknowledged that she had been drinking the night before. However, a urine toxicology screen was negative for alcohol.

4. Ms. Garrison worked at Western State for approximately two months. Her employment was terminated because of medication errors and because of the incident in which she appeared impaired.

5. During the course of her employment with Sunrise Senior Living/The Colonnades, Charlottesville, Virginia:

a. On January 7, 8, and 18, 2013, Ms. Garrison administered 40mg Celexa to a patient after the dose had been changed to 30mg. Ms. Garrison stated at the informal conference that only 40mg tablets were available, and she thought it was better to give the larger dose than not to give the medication at all.

b. On January 18, 2013, Ms. Garrison attempted to administer eye drops and Boost supplement to the wrong patient.

6. Ms. Garrison had been employed at Sunrise/The Colonnades for approximately five years. Her employment was terminated on January 22, 2013, due to her failure to follow physicians' orders. Ms. Garrison had been counseled for medication errors numerous times before her termination.

7. Ms. Garrison provided false or incomplete information on the following employment applications:

a. On the application for employment with Western State Hospital, she stated that her reason for leaving Hospice of the Piedmont was "family circumstances/responsibilities" when, in fact, her employment had been terminated in April 2008 for failing to complete documentation, and she failed to disclose her termination from Sunrise/The Colonnades.

b. On her application for employment with Sunrise/The Colonnades, dated May 29, 2008, she failed to disclose her termination from Hospice of the Piedmont.

8. Ms. Garrison stated at the informal conference that she lied on her employment applications

because she needed to work.

9. Ms. Garrison has been employed at six nursing facilities since 2008. Her employment was terminated at three of these facilities. She is currently employed by Corizon Correctional Healthcare, assigned to the Fluvanna women’s prison.

10. Ms. Garrison acknowledged that she had a history of alcohol abuse. She had convictions for driving under the influence ten and twenty years ago. She completed the Virginia Alcohol Safety Action Program following her second DUI conviction. She stated that she stopped drinking on her own in January 2014. She has never had any substance abuse treatment.

### **CONCLUSIONS OF LAW**

1. Findings of Fact Nos. 3(a) and 5 constitute 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. Findings of Fact Nos. 3(b) and 10 constitute a violation of §54.1-3007(6) of the Code.
3. Finding of Fact No. 7 constitutes a violation of § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations.

### **ORDER**

WHEREFORE, it is hereby ORDERED as follows:

1. Tammy Garrison, R.N., is hereby REPRIMANDED.
2. Ms. Garrison shall be placed on INDEFINITE PROBATION for not less than two years 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. Garrison has completed two years of active employment as a professional nurse. The license of Ms. Garrison 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. Garrison shall inform the Board in writing within ten days of the date she begins nursing practice, or changes employment, or if any interruption in nursing practice occurs. Additionally, Ms. Garrison shall provide the name and address of each employer to the Board.

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

f. Ms. Garrison shall have an evaluation by a mental health /chemical dependency specialist satisfactory to the Board and shall have a written report of the evaluation, including a diagnosis, a recommended course of therapy, and a prognosis sent to the Board within 45 days from the date this Order is entered. Ms. Garrison shall comply with any recommendations of the specialist. If therapy is recommended, written quarterly progress reports by the therapist shall be sent to the Board by the last day of the months of March, June, September and December until Ms. Garrison is discharged from therapy. Ms. Garrison shall direct the therapist to notify the Board if she withdraws from the treatment program before being officially discharged by the therapist.

g. Ms. Garrison shall not use alcohol or any other mood altering chemical, except as

prescribed by a health care practitioner with whom she has a bona fide practitioner/patient relationship and for accepted medicinal or therapeutic purposes. Should she be prescribed any Schedule II-V controlled medication, a written report from the prescribing practitioner shall be provided to the Board within ten days of the date the medication is prescribed.

h. For the first six months after being placed on probation, Ms. Garrison shall be required to have one supervised, unannounced random drug screen per month, from a Board approved testing entity, which includes testing for alcohol. Thereafter, Ms. Garrison shall have one supervised, unannounced, random drug screen per quarter from a Board approved testing entity which includes testing for alcohol. Ms. Garrison shall ensure that the first set of results are received by the Board no later than 60 days from the date this Order is entered. Subsequent results must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends. The Board shall be notified immediately in writing of any positive results or if Ms. Garrison refuses to give a specimen for analysis as required by this Order. All positive results must be confirmed by a confirmatory drug test, the results of which are to be sent to the Board immediately.

i. Ms. Garrison 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.

j. Ms. Garrison 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.

k. Ms. Garrison 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.”

l. Ms. Garrison shall conduct herself as a professional nurse in compliance with the

requirements of Title 54.1, Chapter 30 of the Code and the Board of Nursing Regulations.

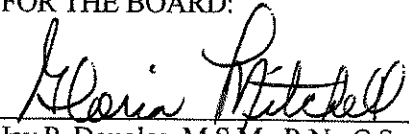
m. Any violation of the stated terms and conditions contained in this Order, or failure to comply with all terms of this Order within five years of the date of entry of the Order, shall be reason for suspending or revoking the license of Ms. Garrison and an administrative proceeding may be held to determine whether her license shall be suspended or revoked.

n. This Order is applicable to Ms. Garrison's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Garrison shall not work outside of 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 she wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Garrison may, not later than 5:00 p.m., on July 7, 2014, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., 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 BOARD:

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

ENTERED: June 3, 2014

This Order shall become final on July 7, 2014, unless a request for a formal administrative hearing is received as described above.

**Certified True Copy**

By   
**Virginia Board of Nursing**