

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: BRENDA GILLEY, L.P.N.
License No.: 0002-059488

CONSENT ORDER

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

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

FINDINGS OF FACT

1. Brenda Gilley, L.P.N., was issued License No. 0002-059488 to practice practical nursing by the Virginia Board of Nursing on May 18, 2000. Said license is set to expire on November 30, 2014. Her primary state of residence is Virginia.
2. During the course of her employment with Valley Health Care Center, Chilhowie, Virginia:
 - a. On February 19, 2013, Ms. Gilley failed to complete the neurological flow sheet for Resident A. Moreover, after Resident A fell, Ms. Gilley failed to notify Resident A's physician and failed to document the fall on Resident A's care plan or 24 hour report.
 - b. On February 6, 2013, Ms. Gilley removed Rocephin (ceftriaxone, Schedule VI) from Pyxis for Resident B, but Ms. Gilley failed to document administering the medication on Resident B's Medication Administration Record.
 - c. On January 29, 2013, Ms. Gilley failed to timely administer carvedilol (Schedule VI) to Resident C in that the physician's order required that the medication be administered at 6:00 p.m., but Ms.

Gilley did not administer the medication until 8:00 p.m., and failed to document that the medication was administered late.

d. On January 29, 2013, Ms. Gilley failed to administer gabapentin (Schedule VI), clonazepam (Schedule IV), and hydrocodone (Schedule II) in a timely manner to Resident D in that Ms. Gilley administered all the medications at 8:15 p.m. and the gabapentin was ordered to be administered at 10:00 p.m. and the clonazepam and hydrocodone was ordered to be administered at 6:00 p.m.

e. On January 29, 2013, Resident E had a physician's order to receive gabapentin at 9:00 p.m. and Ms. Gilley failed to administer the medication to Resident E.

f. On January 29, 2013, Resident F had a physician's order to receive ziprasidone (Schedule VI) at bedtime, and Ms. Gilley failed to administer the medication.

g. On January 29, 2013, Ms. Gilley documented administering an Adair inhaler to Resident G; however Ms. Gilley failed to administer the inhaler.

h. On December 31, 2012, Ms. Gilley removed a pantoprazole tablet (Schedule VI) for Resident H; however Resident H was not in the building.

i. In November and December 2012, Resident I had a PRN order for trazadone (Schedule VI), and Ms. Gilley administered the medication on several occasions without documenting why she had done so.

j. In May 2012, Ms. Gilley failed to document the number of units of insulin she administered to Resident J.

3. As a result of the above incidents and other medication administration and documentation errors, Valley Health Care Center terminated Ms. Gilley's employment on March 12, 2013. She had been working at Valley Health Care Center since October 2008.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2(a), 2(b), 2(d), 2(e), 2(f), 2(h), 2(i), and 2(j) constitute 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 (“Regulations”).
2. Finding of Fact No. 2(c) and 2(g) constitute 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.

CONSENT

Brenda Gilley, 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.

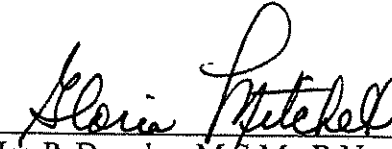
ORDER

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. Brenda Gilley, L.P.N., is hereby REPRIMANDED.
2. Ms. Gilley shall provide the Board with verification that she has completed the following NCSBN online course within 30 days of the entry of this Order: *Documentation: A Critical Aspect of Client Care*.
3. Ms. Gilley 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.
4. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. Gilley and an administrative proceeding shall be convened to determine whether such 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 upon request.

FOR THE BOARD

JPD


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

ENTERED: May 27, 2014

SEEN AND AGREED TO:

Brenda Gilley
Brenda Gilley, L.P.N.

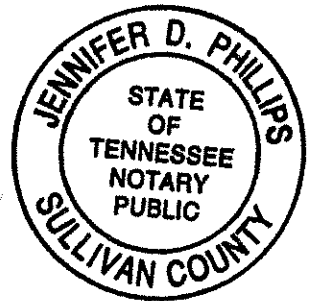
State Tennessee
COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Sullivan, TO WIT:

Subscribed and sworn to before me, Jennifer Phillips, a Notary Public, this 14th day of May, 2014.

My commission expires February 25, 2018.

Registration Number _____

Jennifer Phillips
NOTARY PUBLIC



Certified True Copy

By [Signature]
Virginia Board of Nursing