

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: NINA MACKLIN MORRISON, R.N.

CONSENT ORDER

Pursuant to § 9-6.14:11, § 54.1-2400(10) and § 54.1-3010 of the Code of Virginia (1950), as amended (the "Code"), an informal conference was held before a Special Conference Committee of the Board of Nursing (the "Committee") on December 8, 1998, in Henrico County, Virginia, to receive and act upon evidence that Nina Macklin Morrison, R.N., may have violated certain laws and regulations governing the practice of nursing in Virginia. Ms. Morrison was not present and was not represented by counsel.

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

FINDINGS OF FACT

1. Nina Macklin Morrison, R.N., holds License No. 0001 120558 issued by the Virginia Board of Nursing.
2. During the course of Ms. Morrison's employment as a night supervisor with the Richmond Nursing Home, Richmond, Virginia, on or about August 4, 1998, at approximately 5:20 a.m., Ms. Morrison failed to initiate cardiopulmonary resuscitation ("CPR"), or assure that CPR was initiated, on Resident A, when the resident, who had a "Reject DNR Order," was found with no vital signs. By her own admission, Ms. Morrison took the word of her charge nurse that this resident had a "Do Not Resuscitate" order, and failed to read the resident's chart to confirm the status. Consequently, Ms.

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Morrison's employment was suspended, then terminated, effective August 5, 1998.

3. Since Ms. Morrison's initial intake appointment on June 15, 1998, with Dale McMahon, M.S., R.N., C.S., Henrico Area Mental Health and Retardation Services ("HAMHRS"), Glen Allen, Virginia, Ms. Morrison has denied to Ms. McMahon that she has "ever been ill or had symptoms" of mental illness. On or about June 30, 1998, Ms. Morrison was first seen by Oisín MacSearraigh, M.D., also with HAMHRS, who reported that she "continued to deny the presence of any symptoms in the past." As of August 8, 1998, both Ms. McMahon and Dr. MacSearraigh report that Ms. Morrison "continued to deny having a mental illness either presently or in the past," and recommended that "[she] can probably work now as a nurse in a supervised setting that is not stressful... In light of [her] past history, a relapse would not be unlikely should [she] discontinue treatment."
4. On or about May 20, 1998, Ms. Morrison signed a participation contract with Virginia Monitoring, Inc., Hampton, Virginia, to enter into the Health Practitioners' Intervention Program ("HPIP"), pursuant to Chapter 25.1 of Title 54.1 of the Code of Virginia (1950), as amended, and 18 VAC 76-10-10, et. seq., of the Regulations Governing the Health Practitioners' Intervention Program. On August 14, 1998, Ms. Morrison was granted a stay of disciplinary action by the HPIP Committee. On September 11, 1998, this stay was vacated, based on information received from Virginia Monitoring that Ms. Morrison had violated her participation contract by being employed from June 8, 1998, to August 4, 1998, after she had been told on May 19, 1998, specifically not to practice as a nurse.
5. On or about March 19, 1998, Ms. Morrison was arrested for allegedly assaulting a maintenance man at her apartment complex on March 18, 1998. Ms. Morrison was taken

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to the Henrico County, Virginia, jail, where she became unruly and unmanageable. As a result, on or about March 26, 1998, she was transferred under a temporary detention order and involuntarily committed to Central State Hospital, Petersburg, Virginia, under the care of Shaheen Mustafa, M.D. Ms. Morrison remained at Central State Hospital until approximately May 4, 1998, when she was discharged with the recommendation that she continue her medication and participate in outpatient therapy, and was returned to the jail. By her own admission, as of May 29, 1998, Ms. Morrison had not followed up with Henrico County Mental Health as recommended, and was not taking her medication as prescribed. The charge against Ms. Morrison in Henrico County General District Court was taken under advisement until May 5, 1999.

6. On or about March 18, 1998, Ms. Morrison was arrested and charged, to wit: "did unlawfully assault and batter the said D.L. Flexon, Jr., CHPD, knowing or having reason to know such person is a law enforcement officer or firefighter engaged in the performance of his duties." Ms. Morrison failed to appear for the hearing on this charge in the Chesterfield County, Virginia, Criminal Court because she was hospitalized, therefore, a Capias was ordered. The hearing was re-scheduled to July 8, 1998, and the Capias was dismissed upon her appearance. The hearing was continued to December 1, 1998.
7. Ms. Morrison's application for employment with ManorCare Health Services, Richmond, Virginia, dated January 10, 1998, does not reflect the following periods of her employment:
  - a) Richmond Memorial Hospital, between November 1996 and April 1997;

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- b) Henrico Doctor's Hospital between September 1994 and March 1995; and,
- c) The Laurels of Willow Creek, between June 1996 and August 1996.

Ms. Morrison last worked with ManorCare on February 13, 1998, due to an injury sustained while employed with Capitol Medical Center, Richmond, Virginia.

8. Between on or about May 19, 1997, and June 2, 1997, Ms. Morrison was involuntarily committed to the Tucker Pavilion ("Tucker"), Chippenham Medical Center, Richmond, Virginia, for psychiatric and medical treatment with Graenum Schiff, M.D., and was court-ordered to receive appropriate medication.
9. Between on or about May 23, 1996, and June 1, 1996, Ms. Morrison was involuntarily committed to Tucker, for psychiatric and medical treatment with Graenum Schiff, M.D., and was court-ordered to receive appropriate medication.
10. On or about April 19, 1995, and again on April 27, 1995, Ms. Morrison presented to Dr. Schiff for psychiatric treatment.
11. Between on or about May 4, 1994, and May 19, 1994, Ms. Morrison was involuntarily committed to John Randolph Hospital, Richmond, Virginia, where she was treated by Kamala Agarwal, M.D., and transferred to Tucker, for psychiatric and medical treatment with Graenum Schiff, M.D. Ms. Morrison was court-ordered to receive appropriate medication. Ms. Morrison's prognosis upon discharge was noted as favorable only if she continued with outpatient follow-up.
12. By her own admission, Ms. Morrison's employment with the Hunter Holmes McGuire Veterans' Hospital, Richmond, Virginia, between August 22, 1990, and June 3, 1995, was terminated based on her refusal to accept an assignment, and her leaving her shift. Staff

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reported that Ms. Morrison began to exhibit bizarre behavior, becoming argumentative with peers, making unfounded accusations against her peers, and making accusations of sexual harassment against physicians. However, there were no concerns over patient care issues, nor any patient harm noted. Staff reported that Ms. Morrison's employment was terminated based on her being absent without leave (AWOL) for approximately 48 hours between January 10, 1994, and January 18, 1994, and approximately 226 hours between February 17, 1994, and March 31, 1994.

#### CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that Nina Macklin Morrison, R.N., has violated § 54.1-3007(2), (5), (6) and (8) of the Code, and 18 VAC 90-20-300(A)(2)(e) and (f) of the Regulations of the Board of Nursing.

#### CONSENT

Nina Macklin Morrison, R.N., by affixing her signature hereon, agrees to the following:

1. Ms. Morrison acknowledges that she has been specifically advised to seek advice of counsel prior to signing this document;
2. Ms. Morrison acknowledges that she is fully aware that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 9-6.14:1, et seq., of the Code of Virginia, 1950, as amended;
3. Ms. Morrison acknowledges that she has the following rights among others: the right to a formal fact finding hearing before the Board, to reasonable notice of said hearing, to representation by counsel, and the right to cross examine witnesses against her;
4. Ms. Morrison waives all such right to a formal hearing;
5. Ms. Morrison admits to the above Findings of Fact;

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6. Ms. Morrison consents to the entry of the following Order affecting her practice of professional nursing in the Commonwealth of Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Consent Order, and in lieu of further proceedings, hereby ORDERS that License No. 0001-120558 issued to Nina Macklin Morrison, R.N., be and hereby is INDEFINITELY SUSPENDED. At such time as she shall petition the Board for reinstatement of her license, a hearing will be convened to receive evidence satisfactory to the Board that she is capable of resuming the safe and competent practice of nursing.

Pursuant to § 9-6.14:14 of the Code of Virginia (1950), as amended, the signed original of this Consent 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.

FOR THE BOARD

Lora A. Dury / Nancy K. Quisset  
Lora A. Dury, R.N., B.S.N., C.G.R.N  
President  
Board of Nursing

ENTERED: January 25, 1999

SEEN AND AGREED TO:

Nina Macklin Morrison R.N.  
Nina Macklin Morrison, R.N.

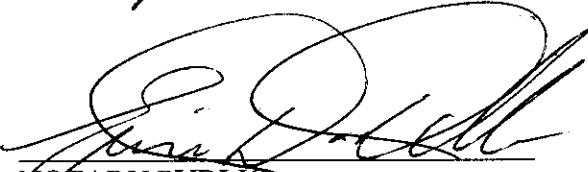
COMMONWEALTH OF VIRGINIA,

COUNTY/CITY OF Richmond TO WIT:

NINA MACKLIN MORRISON, R.N.

Subscribed and sworn to before me, Eric D. Dobbs, a Notary Public, this  
25<sup>th</sup> day of January, 1999.

My commission expires the 30<sup>th</sup> day of April, 2000.

  
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NOTARY PUBLIC

