

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

NINA MACKLIN MORRISON

ORDER

Pursuant to § 9-6.14:11 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 February 23, 2001, in Henrico County, Virginia, to receive and act upon evidence regarding the petition of Nina Macklin Morrison to reinstate her license to practice professional nursing in the Commonwealth of Virginia which was indefinitely suspended by Consent Order entered January 25, 1999, based on impairment. Ms. Morrison was 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 previously held License No. 0001-120558 issued by the Virginia Board of Nursing. This license was indefinitely suspended by Consent Order entered January 25, 1999, based on Ms. Morrison's impairment.
2. On her application for reinstatement as a professional nurse, Ms. Morrison answered "No" to the questions, "Have you ever had any of the following disciplinary actions taken against your license by a licensing authority in any jurisdiction: placed on probation, suspended, revoked, or otherwise disciplined?" and "Has your practice ever been the subject of an investigation by any licensing authority?" She answered "Yes" to the question, "Is your license in good standing in all jurisdictions where licensed?"
3. Ms. Morrison has not completed any continuing education courses, nor conducted any

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regular nursing knowledge maintenance activity other than reading.

4. Since June 1998, Ms. Morrison has received treatment through Henrico Area Mental Health and Retardation Services (HAMHMRS), Glen Allen, Virginia, and remains compliant with her treatment plan, to include: keeping physician visits every three (3) months, and receiving 50mg Haldol every three (3) weeks as ordered which is administered to her, during a home visit, by Dale McMahon of HAMHMRS. Ms. McMahon reported to the Committee that the working presumption for Ms. Morrison is a diagnosis of Bi-Polar II and psychotic disorder not otherwise specified. Despite her compliance, Ms. Morrison continues to deny any mental illness and told the Committee she is only taking this medication in order to get her license back.
5. Ms. Morrison reported to the Committee that in 1999 she signed a participation contract with 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, with the understanding that the program is to assist those persons who have an impairment, defined as "a physical or mental disability, including, but not limited to substance abuse, that substantially alters the ability of a practitioner to practice his profession with safety to his patients and the public." After only a few months under contract, Ms. Morrison reported she was dismissed from HPIP, due to her continuing employment after she had agreed not to practice.
6. Pursuant to § 54.1-3009 of the Code, the burden of providing evidence satisfactory to the Board that she is prepared to resume the competent practice of nursing with reasonable skill and safety to patients rests with Nina Macklin Morrison. It is the opinion of the Special Conference Committee that Ms. Morrison failed to do so.

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CONCLUSIONS OF LAW

Based upon Findings of Fact Nos. 2 through 6, the Board concludes that Nina Macklin Morrison has failed to meet the requirements of § 54.1-3009 of the Code and that she has not demonstrated that she is competent to return to the practice of nursing with reasonable skill and safety to her patients.


ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing hereby ORDERS that the petition of reinstatement of Nina Macklin Morrison to practice professional nursing in the Commonwealth of Virginia be DENIED.

Pursuant to § 9-6.14:14 of the Code of Virginia (1950), as amended, 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 on request.

If Ms. Morrison does not consent to the Committee's decision and desires a hearing before the Board or a panel thereof, she shall notify, in writing, Nancy K. Durrett, R.N., M.S.N., Executive Director, Board of Nursing, 6606 W. Broad Street, Fourth Floor, Richmond, Virginia 23230-1717 within thirty-three (33) days from the date of entry of this Order. This Order shall become final upon the expiration of the thirty-three-day period unless a written request for a formal hearing is received within such time. Upon receiving timely request for a hearing, the Board or panel thereof shall then proceed with a hearing as provided in §9-6.14:12 of the Code of Virginia (1950), as amended.

FOR THE BOARD

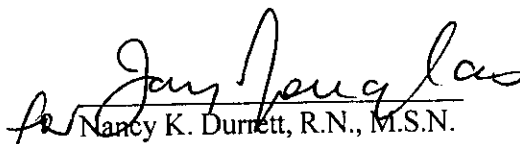
  
Nancy K. Durrett, R.N., M.S.N.  
Executive Director for the  
Board of Nursing

ENTERED: March 8<sup>TH</sup> 2001

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CERTIFICATE OF SERVICE

I hereby certify that a certified true copy of the foregoing Order was mailed on this day to Nina Macklin Morrison at 3221 Coppermill Trace, Apt. J, Richmond, Virginia 23294.



Nancy K. Durrett, R.N., M.S.N.  
Executive Director for the  
Board of Nursing

DATE: March 8<sup>th</sup>, 2001