

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

JEFFREY GLENN LUCAS, R.N.

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on December 3, 2008, in Henrico County, Virginia, to inquire into evidence that Jeffrey Glenn Lucas, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia. Mr. Lucas was present and was not represented by counsel. Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Jeffrey Glenn Lucas, R.N., was issued License No. 0001-192187 to practice professional nursing in the Commonwealth of Virginia on August 13, 2004. Said license expires on May 31, 2009.
2. During the course of Mr. Lucas’ employment with Montgomery Regional Hospital, Christiansburg, Virginia:
 - a. On various occasions since beginning his employment on January 3, 2005, Mr. Lucas was observed by staff to exhibit inappropriate anger and mood swings, take a long time to complete routine and simple tasks, and leave his assigned unit for increasingly extended periods of time. Mr. Lucas stated that he had begun taking medications for a medical condition in January 2005, and the side effects of the medication included fatigue, difficulty concentrating and mood swings.
 - b. On May 16, 2005, Mr. Lucas was observed to have slurred speech, an unsteady gait, and difficulty keeping up with assignments. He reported to the Director of Emergency Services that he had

taken Ambien (zolpidem, Schedule IV) and Ativan (lorazepam, Schedule IV) a few hours prior to reporting for duty.

c. On July 11 through 12, 2005, Mr. Lucas was observed to exhibit aggressive behavior, appeared to be unfocused and unable to complete tasks, slow to react to patient issues and lethargic, had slurred speech, and was observed disappearing from the unit for extended periods of time. He was requested to submit to a urine drug screen; however, after six hours of not being able to provide a sample, he was dismissed with a presumed positive result for the drug screen.

d. On July 11, 2005, Mr. Lucas was told to provide a patient with a bolus of fluid as her blood pressure was dropping; however, he failed to respond timely. The patient's physician noted that Mr. Lucas acted as if he were over-medicated with slurred speech and flat affect, and slow to react to patients that needed more aggressive care.

e. On July 11, 2005, Mr. Lucas signed out on the Accudose for Patient A one Dilaudid 2mg/ml syringe (hydromorphone, Schedule II) at 2222 hours. He did not document the administration in the Nurses Notes.

f. On July 4, 2005, Mr. Lucas signed out on the Accudose for Patient B one Dilaudid 2mg/ml syringe at 0813 hours. The patient record indicates that the patient was discharged at 0805 hours. Further, there was no physician's order for this medication for this patient.

g. On June 28, 2005, Mr. Lucas signed out on the Accudose for Patient A one Dilaudid 2mg/ml syringe at each 0353 hours and 0444 hours as ordered; however, he signed out a third dose for this patient at 0502 hours, without a physician's order. He documented in the Nurses Notes administering a dose at 0410 and at 0500.

h. On June 28, 2005, Mr. Lucas signed out on the Accudose for Patient C one Dilaudid 2mg/ml syringe at 2139 hours. This patient's physician did not order Dilaudid for this patient until 2159

hours, at which time it was documented as administered by another nurse. Mr. Lucas did not document the administration of the dose he withdrew in the Nurses Notes.

i. On June 29, 2005, Mr. Lucas signed out on the Accudose for Patient D one Dilaudid 2mg/ml syringe at 0307 hours. He did not document the administration in the Nurses Notes. Further, this patient was first seen by a physician at 0444 hours, and that physician did not order Dilaudid for this patient.

j. On June 1, 2005, Mr. Lucas signed out on the Accudose for Patient E one Dilaudid 2mg/ml at 0812 hours. He did not document the administration in the Nurses Notes, and in fact, this patient had been discharged on May 30, 2005 at 1205 hours. Further, this patient did not have physician's orders for this medication.

k. On two separate occasions between January 2005 and July 2005, Mr. Lucas was observed to not wear gloves when providing care to a patient with a bleeding wound, and when removing another patient's IV. Mr. Lucas did not always wear gloves, although they were readily available and were standard procedure to wear, and even when offered a pair by another nurse, despite his awareness that he has a medical condition which can be communicable.

l. As a result, Mr. Lucas' employment was terminated August 12, 2005.

3. During the course of his employment at Lewis Gale Medical Center, Roanoke, Virginia:

a. On September 19, 2007, Mr. Lucas submitted an Application for Employment wherein he failed to list his previous employment at Montgomery Regional Hospital, and termination from that facility on August 12, 2005.

b. On July 29-30, 2007, Mr. Lucas failed to appropriately treat, refer for treatment, or contact the physician of Patient F per facility policy, despite this patient's continual problems throughout his shift with bleeding from a catherization site.

c. As a result, Mr. Lucas' employment was terminated on August 1, 2007. He was reinstated in September 2007 with conditions. He was subsequently terminated on July 31, 2008. He stated that the reasons given for the termination were two patient complaints and that he engaged in an argument with a co-worker.

4. Mr. Lucas acknowledged a long history of illegal and legal substance abuse. He stated that he did receive inpatient treatment and attended AA/NA years ago, but is not currently involved in any substance abuse treatment or counseling. He stated that he has never diverted controlled substances.

CONCLUSIONS OF LAW

1. Findings of Fact No. 2(a) through (d) constitute a violation of § 54.1-3007(5) and (6) of the Code.

2. Findings of Fact No. 2(e) through (j) constitute a violation § 54.1-3007(2), (5) and (6) of the Code and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing ("Regulations").

3. Finding of Fact No. 2(k) constitutes a violation of § 54.1-3007(5) of the Code.

4. Finding of Fact No. 3(a) constitutes a violation of § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations.

5. Finding of Fact No. 3(b) constitutes a violation of § 54.1-3007(5) of the Code.

6. Based on the above Findings of Fact, the Committee concludes that Jeffrey Glenn Lucas, R.N., is a candidate for the Health Practitioners' Intervention Program ("HPIP").

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. The Committee shall TAKE NO ACTION at this time, contingent upon Jeffrey Glenn Lucas' entry into and compliance with the Health Practitioners' Intervention Program ("HPIP"), pursuant to § 54.1-

2515 *et seq.* of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPIP. Mr. Lucas shall have proof of entry into a Contract with the HPIP provided to the Board within 60 days of the date this Order is entered.

2. This order shall be applicable to Mr. Lucas' multi-state licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Mr. Lucas shall not work outside 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 Mr. Lucas wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

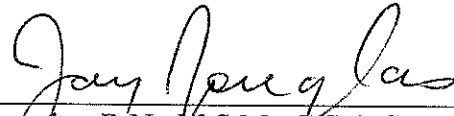
3. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Jeffrey Glenn Lucas, and an administrative proceeding shall be held to decide whether his license should be revoked. Mr. Lucas shall be noticed to appear before the Board at such time as the Board is notified that:

- a. He has failed to make application to the HPIP;
- b. He is not in compliance with the terms and conditions of the HPIP, or has been terminated from participation in the HPIP;
- c. There is a pending investigation or unresolved allegation against Mr. Lucas involving a violation of law or regulation or any term or condition of this Order; or
- d. Mr. Lucas has successfully completed the above-referenced period of participation in the HPIP. However, upon receipt of Mr. Lucas' participation in and compliance with the HPIP, the Board, at its discretion, may waive Mr. Lucas' appearance before the Board and conduct an administrative review of this matter.

4. Mr. Lucas shall maintain a course of conduct in his capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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 on request.

FOR THE COMMITTEE



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


ENTERED: December 19th, 2008

NOTICE OF RIGHT TO FORMAL HEARING

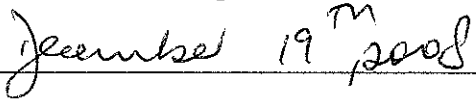
If you do not consent to the Committee's decision and desire a hearing before the Board or a panel thereof, you shall notify, in writing, the Executive Director of the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, within 33 days of the date of entry of this Order. This Order shall become final upon expiration of the 33-day period unless a request for a formal hearing is received within such time. Upon receiving a timely request for a hearing, this Order shall be vacated and the Board or a panel thereof shall proceed with a hearing as provided in § 2.2-4020 *et seq.* of the Code.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Order was mailed, by certified and regular mail, this day to Jeffrey Glenn Lucas, R.N., at 390 Ellett Road, Christiansburg, Virginia 24073.



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



Date