

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: SARA C. HEREFORD, L.P.N.
License No.: 0002-073029

ORDER

In accordance with §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on October 23, 2013, in Henrico County, Virginia. Sara C. Hereford, L.P.N., was not present nor was she represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 29, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Hereford 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. Sara C. Hereford, L.P.N., was issued License No. 0002-073029 to practice practical nursing in Virginia on February 24, 2006. The license is scheduled to expire on March 31, 2014. Ms. Hereford's primary state of residence is Virginia.
2. By letter dated September 27, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Hereford notifying her that an informal conference would be held on October 23, 2013. The Notice was sent by certified and first class mail to 2126 Paradise Road, Alton, Virginia, 24520, the address of record on file with the Board of Nursing. The Notice was also sent to

2615 Parker Avenue, South Boston, Virginia, 24592, a secondary address. The receipt for the Notice sent via certified mail to the address of record was signed by Ms. Hereford and returned to the Board office on October 4, 2013. The Notice sent via first-class mail to the address of record was not returned to the Board office. The Notice sent via certified mail to the secondary address was not claimed. The Notice sent via first-class mail to the secondary address was returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Hereford, and the informal conference proceeded in her absence.

3. During the course of her employment as a practical nurse at South Boston Manor, South Boston, Virginia, between April 1, 2012 and May 16, 2012, Ms. Hereford treated patients for 17 days while her license was expired.

4. Ms. Hereford's employment with South Boston Manor was suspended on November 9, 2012 for the criminal charges enumerated below.

5. On December 6, 2012, Ms. Hereford was convicted in the Circuit Court of Halifax County, Virginia, of distribution of controlled drug paraphernalia, a misdemeanor.

6. When contacted by an investigator for the Department of Health Professions, Ms. Hereford provided minimal information. She admitted to having received substance abuse treatment. She then ceased contact with the investigator.

7. Ms. Hereford was prescribed suboxone for treatment of her heroin use. While on suboxone, Ms. Hereford obtained seven prescriptions between March and May, 2012 for hydromorphone (Schedule II) and three prescriptions for oxycodone (Schedule II) from six different physicians, which she filled at seven different pharmacies. While she was taking the prescribed suboxone, Ms. Hereford requested that a dentist prescribe her Dilaudid (hydromorphone), but the dentist refused to do so after reviewing her Prescription Monitoring Program report.

8. Ms. Hereford's current employment status is unknown. She was not enrolled in the Health Practitioners' Monitoring Program as of the date of the informal conference.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of §§ 54.1-3007(3), 54.1-3008(A)(2), and 54.1-3011(C) of the Code.
2. Finding of Fact Nos. 5, 6, and 7 constitute a violation of § 54.1-3007(6) of the Code.

ORDER


WHEREFORE, it is hereby ORDERED as follows:

1. Sara C. Hereford, L.P.N., shall pay a MONETARY PENALTY of TWO HUNDRED DOLLARS (\$200.00) to the Board.
 2. License No. 0002-073029 of Sara C. Hereford, L.P.N., is INDEFINITELY SUSPENDED.
 3. The license will be recorded as suspended and no longer current.
 4. At such time as Ms. Hereford shall petition the Board for reinstatement of her license and has paid the monetary penalty, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of practical nursing. Ms. Hereford shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.
 5. This suspension applies to any multistate privilege to practice practical nursing.
- 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.

Since Ms. Hereford failed to appear at the informal conference, this Order shall be considered

final. Ms. Hereford has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Hereford has thirty (30) days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

FOR THE BOARD:


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

Entered: Feb. 14, 2014

Certified True Copy

By: 
Virginia Board of Nursing