

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: LETITIA EPPS, R.M.A.
Registration No.: 0031-002009**

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 December 17, 2013, in Henrico County, Virginia. Letitia Epps, R.M.A., was not present and was not represented by legal counsel. Judith E. Piersall, R.N., B.S.N., 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. Epps 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. Letitia Epps, R.M.A., was issued Registration No. 0031-002009 to practice as a medication aide in Virginia on January 6, 2009. The registration is scheduled to expire on February 28, 2014.
2. By letter dated November 19, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Epps notifying her that an informal conference would be held on December 17, 2013. The Notice was sent by certified and first class mail to 402 Larkspur Road, Ruckersville, Virginia 22968, the address of record on file with the Board of Nursing. The certified mail receipt and the first class mail were not returned to the Board's office. Ms. Epps called Board staff and asked whether she should attend the informal conference the week before the informal conference was held. The Agency

Subordinate concluded that adequate notice was provided to Ms. Epps and the informal conference proceeded in her absence.

3. During her employment with BrightStar of Charlottesville, Charlottesville, Virginia:

a. On August 24, 2013, Ms. Epps agreed to cover the shift of a co-worker, who was assigned to watch a client in the client's home, and she failed to do so.

b. On August 25, 2013, Ms. Epps was assigned to administer a tube feeding to a client, and she failed to do so.

4. On June 1, 2013, Ms. Epps provided a fraudulent license to BrightStar of Charlottesville in order to be hired as the "Director of Nursing." The license stated "Registration to Practice as a Registered Nurse" when, in fact, she was a registered medication aide.

5. From June 1, 2013, to August 26, 2013, Ms. Epps claimed to be registered nurse and acted as the Director of Nursing while employed at BrightStar of Charlottesville. Ms. Epps reviewed patient records, and she used the designation "R.N." when signing said records even though she is not licensed to practice professional nursing in Virginia, nor does she hold a multistate privilege to do so. While claiming to be a registered nurse, Ms. Epps signed numerous patient records and provided patient care, including assessments.

6. On August 26, 2013, BrightStar of Charlottesville terminated Ms. Epps' employment for patient abandonment. BrightStar of Charlottesville was unaware Ms. Epps did not have a license to practice professional nursing until after her employment was terminated. While employed as the Director of Nursing at BrightStar of Charlottesville, Ms. Epps was paid \$8,000.00 more than she would have been paid had she been working as a medication aide.

7. Ms. Epps denied all the allegations in an interview with a Department of Health Professions investigator. Ms. Epps also told the investigator that she graduated from the Lynchburg

General School of Nursing in February 2013. After the interview, the investigator contacted the Lynchburg General School of Nursing, which informed the investigator that there was no record of Ms. Epps being a student. The investigator made multiple attempts to schedule a second interview with Ms. Epps, and she did not respond to the investigator.

8. Since 2008, Ms. Epps has held positions at 15 facilities. She is currently employed as a medication aide at The Harbor at Renaissance, Stanardsville, Virginia.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-60-120(2)(f) of the Regulations Governing the Registration of Medication Aides (“Regulations”).

2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(2), (3) and (5) of the Code and 18 VAC 90-60-120(2)(e) of the Regulations.

3. Finding of Fact No. 5 constitutes a violation of §§ 54.1-3007(2), (3) and (5); 54.1-3016; and 54.1-3008(A)(1), (2) and (4) of the Code and 18 VAC 90-60-120(2)(e) of the Regulations.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Registration No. 0031-002009 of Letitia Epps, R.M.A., is REVOKED.

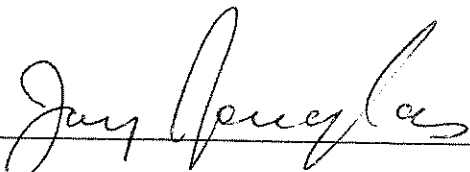
2. The registration of Ms. Epps will be recorded as REVOKED and no longer current.

Pursuant to § 54.1-2408.2 of the Code, should Ms. Epps seek reinstatement of her registration after three years, she shall be responsible for any fees that may be required for the reinstatement of her registration prior to issuance of her registration to resume practice. The reinstatement of Ms. Epps’ registration shall require the affirmative vote of three-fourths of the members at a meeting of the Board.

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. Epps failed to appear at the informal conference, this Order shall be considered final. Ms. Epps 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. Epps 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, Richmond, 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: February 12th, 2014

Certified True Copy

By [Signature]
Virginia Board Of Nursing