

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: CHARLOTTE LANE, R.N.
 License No.: 0001-128958**

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 11, 2013, in Henrico County, Virginia. Charlotte Lane, R.N., was present and was not 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. Lane 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. Charlotte Lane, R.N., was issued license number 0001-128958 to practice professional nursing in Virginia on August 28, 1992. The license is scheduled to expire on October 31, 2014. Her primary state of residence is Virginia.

2. By letter dated November 7, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Lane notifying her that an informal conference would be held on December 11, 2013. The Notice was sent by certified and first class mail to 2506 Sandy Spring Lane, Apt. 204, Suffolk, Virginia 23434, the address of record on file with the Board of Nursing.

3. During the course of her employment with Children's Hospital of the King's Daughters, Norfolk, Virginia, on or about April 6-7, 2013, during her scheduled 6:30 p.m. to 7:00 a.m. shift:

a. Ms. Lane was noted to have constricted pupils, droopy eyelids, slow speech, and an unsteady gait. She was also described as being lethargic, with decreased reactions.

b. Ms. Lane failed to administer 9:00 p.m., 10:00 p.m., and 11:00 p.m. scheduled medications to Patients A, B, and C in a timely manner, and administered all medications at approximately 1:22 a.m.

4. As a result of this incident, Ms. Lane's employment was suspended, and currently remains suspended pending the outcome of the Board's decision. Prior to this incident, Ms. Lane had been employed with Children's Hospital of the King's Daughters for 21 years.

5. The nurse practitioner that was treating Ms. Lane for lupus, the doctor who conducted Ms. Lane's fitness for duty exam, and Ms. Lane's former nurse manager at Children's Hospital of the King's Daughters all believe that Ms. Lane is not safe to practice.

6. When initially asked what medications she was currently taking, Ms. Lane indicated that she was not currently taking any medications because she had been unemployed since being suspended from Children's Hospital of the King's Daughters in April 2013, and did not have health insurance. When later asked when she last had a lupus flare-up, Ms. Lane indicated that she had one in October 2013, which was treated with ibuprofen and Vicodin in the emergency room.

7. At the informal conference, at first Ms. Lane stated she had been unemployed since April 13, 2013, then Ms. Lane reported that she worked at Southampton Hospital from June 2013, until September 2013, when she was terminated for absenteeism. She blamed her absences on her failure to report a security guard for sexual harassment, which caused her to call out whenever she knew he would be at work.

8. Ms. Lane stated that she is not currently in any counseling and that she is not currently taking any medications.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3(a) constitutes a violation of § 54.1-3007(5) and (6) of the Code.
2. Finding of Fact No. 3(b) constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. License No. 0001-128958 of Charlotte Lane, R.N., is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Lane shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Lane 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.
4. This suspension applies to any multistate privilege to practice professional nursing.
5. This suspension shall be STAYED upon proof of entry into the Health Practitioners' Monitoring Program ("HPMP") pursuant to Chapter 25.1 of Title 54.1 of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPMP. At such time, the indefinite suspension shall be STAYED and the following terms and conditions shall apply:
 - a. Ms. Lane shall comply with all terms and conditions for the period specified by the HPMP.
 - b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Ms. Lane, and an administrative proceeding shall be held to determine whether her license shall be revoked. The stay of

indefinite suspension may be summarily rescinded at such time the Board is notified that:

- i. Ms. Lane is not in compliance with the terms and conditions specified by the HPMP;
- ii. Ms. Lane's participation in the HPMP has been terminated;
- iii. There is a pending investigation or unresolved allegation against Ms. Lane involving a violation of law, regulation, or any term or condition of this order.

6. Upon receipt of evidence of Ms. Lane's participation and successful completion of the HPMP, the Board, at its discretion, may waive Ms. Lane's appearance before a Committee and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

7. This Order is applicable to Ms. Lane's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Lane shall not work outside of 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 she wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.


8. Ms. Lane shall maintain a course of conduct in her 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 § 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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Lane may, not later than 5:00 p.m., on

March 12, 2014, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that he/she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD:


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

ENTERED: Feb 7, 2014

This Order shall become final on March 12, 2014, unless a request for a formal administrative hearing is received as described above.