

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: COURTNEY MORGAN, R.N.
 License No. 0001-215661**

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 Virginia Board of Nursing ("Board") on November 13, 2013, in Henrico County, Virginia. Courtney Morgan, R.N., was present and was not represented by legal counsel. Judith 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. Morgan 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. Courtney Morgan, R.N., was issued License No. 0001-215661 to practice as a professional nurse in Virginia on September 26, 2008. The license is scheduled to expire on October 31, 2014. Virginia is her primary state of residence.

2. By letter dated October 15, 2013, the Virginia Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Morgan notifying her that an informal conference would be held on November 13, 2013. The Notice was sent by certified and first class mail to 14438 Mountain Road, Glen Allen, Virginia 23059, the address of record on file with the Board of Nursing.

3. During the course of her employment with the Children’s Hospital of Richmond at VCU, Richmond, Virginia, on May 3, 2013:

a. Ms. Morgan was found in a patient’s bathroom that was locked after hospital staff searched for her for approximately an hour, and she failed to respond to her name being paged. Ms. Morgan opened the bathroom door after a staff member pounded on the door several times. When she opened the door, she exhibited slurred speech, and unfocused eyes, and she was not able to stand on her own. Ms. Morgan submitted to a urine drug screen that was positive for morphine (Schedule II), Valium (diazepam, Schedule IV) and hydrocodone (Schedule III), for which she did not have a current prescription.

b. Ms. Morgan failed to document Patient A’s feeding scheduled for 10:00 a.m., and she failed to document taking Patient A’s vital signs that were ordered at 8:00 a.m.

c. Ms. Morgan failed to document performing Patient B’s catheterization ordered for 12:00 p.m.

d. Ms. Morgan failed to document performing a water flush for Patient C that was ordered for 8:00 a.m. and 12:00 p.m.

4. At the informal conference, Ms. Morgan stated that she performed the tasks in Findings of Fact Nos. 3(b), 3(c), and 3(d), but failed to document them.

5. Ms. Morgan denied using morphine, Valium or hydrocodone prior to her drug screen at Children’s Hospital of Richmond at VCU, but she could not explain the positive result of the drug screen except to suggest the result may be from eating poppy seeds. However, the Toxicology Lab Supervisor for VCU Medical Center stated that Ms. Morgan’s positive drug screen for morphine indicated that morphine was used, and it “was not at all consistent with poppy seed consumption.” He also indicated the positive result for hydrocodone indicated that the narcotic was used. Moreover, on

May 6, 2013, Ms. Morgan stated to her primary care physician that her drug toxicology screen, referenced in Finding of Fact No. 3(a), was negative, even though she could not have known the result at that time. Finally, Ms. Morgan reported that she has had two additional positive drug screens, one at St. Mary's Hospital and one at nursing school, for which she could not explain the results. However, Ms. Morgan acknowledged that she has had negative drug screens in the past.

6. Ms. Morgan resigned from Children's Hospital of Richmond at VCU after she was informed her drug screen was positive. In September 2011, St. Mary's terminated Ms. Morgan's employment for multiple drug documentation discrepancies. Ms. Morgan is currently employed in private home health care and volunteers as a paramedic. She has access to narcotics in both positions.

7. Ms. Morgan stated at the informal conference that she was willing to enter the Virginia Health Practitioner's Monitoring Program ("HPMP") in order to keep her nursing license.

CONCLUSIONS OF LAW

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

2. Findings of Fact Nos. 3(b), 3(c), and 3(d) constitute 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.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. License No. 0001-215661 of Courtney Morgan, R.N., is INDEFINITELY SUSPENDED.

2. The license will be recorded as suspended and no longer current.

3. At such time as Ms. Morgan 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. Morgan 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 and compliance with the 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. Morgan 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. Morgan, 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. Morgan is not in compliance with the terms and conditions specified by the HPMP;

ii. Ms. Morgan's participation in the HPMP has been terminated;

iii. There is a pending investigation or unresolved allegation against Ms. Morgan involving a violation of law, regulation, or any term or condition of this order.

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

license.

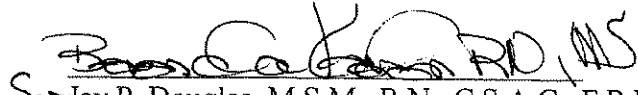
7. This Order is applicable to Ms. Morgan's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Morgan shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where Ms. Morgan wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

8. Ms. Morgan 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. Morgan may, not later than 5:00 p.m., on March 12, 2014, notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that 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.

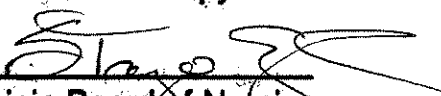
FOR THE BOARD:


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.

Certified True Copy

By 
Virginia Board of Nursing