

0031-007545

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: ERIKA BILLINGS, R.M.A. APPLICANT

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(7) and (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 22, 2013, in Henrico County, Virginia. Ms. Billings was present and was not represented by legal counsel. Nancy Durrett, R.N., M.S., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 28, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Billings 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. Erika Billings submitted an application for registration by examination as a medication aide which was received by the Board on July 23, 2013.
2. By letter dated October 2, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Billings notifying her that an informal conference would be held on October 22, 2013. The Notice was sent by certified and first class mail to 199 Buckeye Street, Saltville, VA 24370, the address of record on file with the Board of Nursing.
3. Erika Billings was convicted of the following felony offenses in the United States District Court, Western District of Virginia, on February 2, 2010: conspiracy to distribute cocaine,

maintain a place for the purpose of unlawfully storing and distributing a controlled substance, and conspiracy to distribute cocaine. She was sentenced to 42 months in prison, served 18 months, spent 6 months in a halfway house, and completed a nine-month drug program while in prison. On March 23, 2013, Ms. Billings began “supervised release,” her court-ordered probation. Ms. Billings’ probation officer reports that all of her urine drug screens have been negative thus far and she has paid all of her court fines.

4. By her own admission, Ms. Billings abused alcohol and experimented with illegal drugs and prescription drugs in the years that she distributed cocaine. Alcohol was her drug of choice and although currently abstinent, she attends an alcohol and drug program once per week at her church and has three sponsors.

CONCLUSIONS OF LAW

1. Finding of Fact #3 constitutes a violation of § 54.1-3007(4) and (6) of the Code.
2. Finding of Fact #4 constitutes a violation of § 54.1-3007(6) of the Code.
3. Ms. Billings otherwise meets the requirements of § 54.1-3042 of the Code.

ORDER

WHEREFORE it is hereby ORDERED as follows:

1. The application of Erika Billings for Registration by Examination as a Medication Aide is APPROVED.
2. Upon successful completion of the medication aide examination, Ms. Billings shall be issued a registration as a medication aide in Virginia and shall be placed on INDEFINITE PROBATION for not less than 24 months of actual medication aide practice subject to the following terms and conditions:
 - a. The period of probation shall begin on the date that the registration is issued and

shall continue indefinitely. After 24 months of active employment as a medication aide, she may request that the Board end this probation.

b. Ms. Billings shall inform the Board in writing within ten days of the date she begins medication aide practice, or changes employment, or if any interruption in medication aide practice occurs. Additionally, she shall provide the name and address of each employer to the Board.

c. Ms. Billings shall inform her first medication aide employer that the Board has placed her on probation and shall provide this employer and every subsequent employer with a complete copy of this Order. If Ms. Billings is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.

d. Performance Evaluations shall be provided, at the direction of Ms. Billings, by all medication aide employers, as provided by the Compliance Officer. The first report must be received by the Board office no later than sixty days from the date Ms. Billings obtains her first employment as a medication aide. Subsequent reports must be received quarterly by the last day of the months of March, June, September, and December until the period of probation ends.

e. Ms. Billings shall practice as a medication aide in a structured/supervised employment setting satisfactory to the Board for the probationary period. This employment setting shall provide on-site supervision by a physician, professional nurse, or licensed practical nurse who works the same shift and holds an unrestricted license. For all employment as a medication aide and before beginning or changing medication aide employment during this period, Ms. Billings shall have all prospective employers provide a written description of the employment setting to the Board office for approval.

f. Ms. Billings shall not use alcohol or any other mood-altering chemical, except as prescribed by a health care practitioner with whom she has a bona fide practitioner/patient

relationship and for accepted medicinal or therapeutic purposes. Should she be prescribed any Schedule II-V controlled medication, a written report from the prescribing practitioner shall be provided to the Board within ten days of the date the medication is prescribed.

g. Ms. Billings shall attend Alcoholics Anonymous, Narcotics Anonymous, or other group acceptable to the Board and shall have written evidence of attendance by a sponsor or contact person sent to the Board office within thirty days of each meeting.

h. Ms. Billings shall request her court-appointed probation officer to provide the Board with a written report describing how she is meeting the conditions of her probation within 60 days from the date this Order is entered.

i. Ms. Billings shall provide the Board with a certified true copy of her final court order placed on record by the Court upon completion of her probation.

j. Ms. Billings shall provide all current and future treating practitioners with a complete copy of the Order and shall execute an Authorization for Disclosure of Information form providing for unrestricted communication between the Board and any court-ordered probation officers and any consultants designated by the Board.

k. Ms. Billings shall submit quarterly “Self Reports” which include address, telephone number, and verification of all current employment. These reports shall also include any changes in employment status. The first report must be received by the Board office no later than sixty days from the date this Order is entered. Subsequent reports must be received by the last day of the months of March, June, September, and December until the period of probation ends.

l. The Board shall issue a registration marked “Probation with Terms.”


m. Ms. Billings shall conduct herself as a registered medication aide in compliance with the requirements of Title 54.1, Chapter 30 of the Code, and the Board of Nursing Regulations.

n. Any violation of the stated terms and conditions contained in this Order, or failure to comply with all terms of this Order within five years of the date of entry of the Order, shall be reason for suspending or revoking the registration of Ms. Billings and an administrative proceeding may be held to determine whether her registration shall be suspended or revoked.

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. Billings may, not later than 5:00 p.m., on **March 10, 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 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. 5, 2014

This Order shall become final on March 10, 2014; unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 
Virginia Board of Nursing