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VIRGINIA:

BEFORE THE BOARD OF NURSING

VA BD OF NURSING

IN RE: TONYA C. DOSS, L.P.N.
License No.: 0002-079397

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Tonya C. Doss, L.P.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Doss' license to practice practical nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Tonya C. Doss, L.P.N., was issued License No. 0002-079397 to practice practical nursing by the Virginia Board of Nursing on November 4, 2008. Said license is set to expire on July 31, 2014. Her primary state of residence is Virginia.
2. During the course of her employment with Trinity Mission Nursing Home, Rocky Mount, Virginia, in April 2013, Ms. Doss diverted controlled medications, including Percocet (oxycodone and acetaminophen, Schedule II) and Lortab (hydrocodone bitartrate, Schedule III), from facility supplies for her personal and unauthorized use. Further, Ms. Doss falsified residents' Medication Administration Records by documenting that she had given medications to residents when she had actually diverted the medications for herself.
3. Ms. Doss' employment with Trinity Mission was terminated as a result of her diversion.
4. Ms. Doss has a history of addiction to narcotic pain medication, which arose from her being prescribed narcotics to treat pain associated with surgery.

5. Ms. Doss entered into a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") in May 2013.

CONCLUSIONS OF LAW

Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2), (5), and (6) of the Code of Virginia (1950), as amended ("Code"), and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing.

CONSENT

Tonya C. Doss, L.P.N., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice practical nursing in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. Tonya C. Doss, L.P.N., is hereby REPRIMANDED.
2. The Board shall TAKE NO FURTHER ACTION at this time contingent on Ms. Doss' continued compliance with the HPMP for the period specified by the HPMP.
3. This Order is applicable to Ms. Doss' multistate licensure privileges, if any, to practice practical nursing. For the duration of this Order, Ms. Doss 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.
- 4 Ms. Doss shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.
5. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Doss, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Doss shall be noticed to appear before the Board at such time as the Board is notified that:
 - a. She is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
 - b. There is a pending investigation or unresolved allegation against her involving a violation of law or regulation or any term or condition of this Order; or
 - c. She has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of evidence of Ms. Doss' participation in and compliance with the HPMP, the Board, at its discretion, may waive her appearance before the Board and conduct an administrative review of this matter.

Pursuant to §§ 2.2-4023 and 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 public record and shall be made available for public inspection or copying upon request.

FOR THE BOARD

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

ENTERED: December 19, 2013

SEEN AND AGREED TO:

[Signature]
Tonya C. Doss, L.P.N.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Franklin, TO WIT:

Subscribed and sworn to before me, Suzanne A. Webb, a Notary Public, this 11th day of December, 2013.

My commission expires 02/28/2014.

Registration Number 138003.

[Signature]
NOTARY PUBLIC

