

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: SARAH B. SAUNDERS JUSTUS, R.M.A.
Registration No.: 0031-002726**

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 September 24, 2013, in Henrico County, Virginia. Sarah B. Saunders Justus was not present nor was she 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 November 19, 2013, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Justus 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. Sarah B. Saunders Justus, R.M.A., was issued Registration No. 0031-002726 to practice as a medication aide in Virginia on March 16, 2009. The registration is scheduled to expire on January 31, 2014.
2. By letter dated August 30, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Justus notifying her that an informal conference would be held on September 24, 2013. The Notice was sent by certified and first class mail to 2597 Lynn Springs Road, Swords Creek, Virginia 24649, the address of record on file with the Board of Nursing. The United States Postal Service website was unable to provide confirmation that the Notice sent by certified mail was delivered to Ms. Justus. As of September 24, 2013, the Notice sent by first class mail had not been returned to the Board Office. The Agency Subordinate concluded that adequate notice was provided to Ms. Justus and the informal conference proceeded in her absence.
3. Ms. Justice was hired at Mountain View Assisted Living in 2004 and terminated in 2013.

4. In April 2013, during the course of her employment with Mountain View Assisted Living Facility, Lebanon, Virginia, by her own admission, Ms. Justus diverted Lortab (C-III) and Percocet (C-II) for her own personal and unauthorized use. Ms. Justus achieved this diversion by altering residents' records and ordering narcotic medications for residents who did not have a physician's order for the drugs.

5. Ms. Justus is unable to safely practice as a medication aide due to physical illness and substance abuse. By her own admission, she suffers from degenerative disc disease, and during the period that she diverted narcotics from her employer she was in extreme pain.

6. Ms. Justus stated that she was having extreme pain and took the medications because she needed to work. Ms. Justus denied that she abused alcohol or used illicit drugs.

7. On August 12, 2013, Ms. Justus was indicted on six felony counts of obtaining drugs by fraud in the Russell County, Virginia, Circuit Court, and is scheduled for trial on September 26, 2013.

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)(c) and (d) of the Regulations Governing the Registration of Medication Aides.

2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Registration No. 0031-002726 of Sarah B. Saunders Justus to practice as a medication aide is INDEFINITELY SUSPENDED.

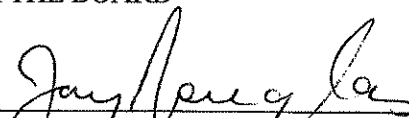
2. The registration will be recorded as suspended and no longer current.

3. At such time as Ms. Justus shall petition the Board for reinstatement of her registration, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice as a medication aide. Ms. Justus shall be responsible for any fees that may be required for the reinstatement and renewal of the registration prior to issuance of the registration to resume practice.

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. Justus failed to appear at the informal conference, this Order shall be considered final. Ms. Justus 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. Justus has 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.

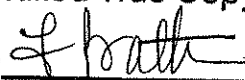
FOR THE BOARD



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

Entered: December 13th, 2013

Certified True Copy

By 

Virginia Board Of Nursing