

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: CAROL D. AMENT, R.N.
 License No.: 0001-131827**

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on November 19, 2013, in Henrico County, Virginia, to inquire into evidence that Carol D. Ament, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia. The case was presented by Amanda E. M. Blount, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Ament was present and was represented by Margaret F. Hardy, Esquire. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Carol D. Ament, R.N., was issued License No. 0001-131827 to practice professional nursing by the Virginia Board of Nursing on March 25, 1993. Said license is set to expire on March 31, 2015. Her primary state of residence is Virginia.

2. During the course of her employment with Children's Hospital of the King's Daughters, Norfolk, Virginia:

a. On April 19, 2013, Ms. Ament was excessively fatigued and thus impaired while on duty. She was observed to have slurred speech and sat at the nurse's station for most of the shift failing to perform nursing duties. Ms. Ament told her coworkers that she was tired that night, and one of her fellow nurses stated that she had to assist Ms. Ament to complete Ms. Ament's tasks. At the hearing, Ms. Ament acknowledged that she received assistance that night from her coworkers.

b. On April 19, 2013, during the 6:30 p.m. to 7:00 a.m. shift:

i. Ms. Ament failed to perform and document pain and respiratory assessments for Patient A. Ms. Ament also failed to document his intake and output overnight. Incident reports were filed regarding other medication errors during her shift.

ii. Ms. Ament failed to enter medication orders for Patient B received at 17:55 hours, to decrease her Ativan and Methadone. Ms. Ament also failed to perform and document assessments and intake and output for Patient B.

iii. Ms. Ament failed to perform and document respiratory assessments for Patient C.

c. Ms. Ament withdrew Lortab (hydrocodone, Schedule III) for Patient D and administered it to Patient E.

3. By letter dated May 28, 2013, Ms. Ament's employment with Children's Hospital of the King's Daughters was suspended pending a decision by the Board.

4. Ms. Ament has been practicing for over 20 years with no prior practice issues. Ms. Ament did not contest that her documentation was inadequate for the night of April 19, 2013. She had no explanation for the deficiencies except that she was tired; she stated she did not realize she had not written up the assessments. She termed the documentation on April 19, 2013, to be sloppy and embarrassing. She acknowledged that she committed errors in her documentation and was excessively tired, but she denied that she was impaired on April 19, 2013. Ms. Ament testified that she learned she should no longer work nights, and that she should not go into work when she is so tired. She also said she should be more aware of her charting and patient care.

5. Ms. Ament provided letters of support that spoke to her competency. She also submitted a letter dated October 22, 2013, from a licensed clinical social worker that indicated she did not have any chronic mental health or substance abuse issues.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 2(a) constitutes a violation of § 54.1-3007(5) and (6) of the Code.
2. Findings of Fact Nos. 2(b) and 2(c) constitute violations 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.

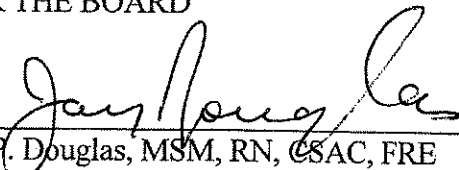
ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

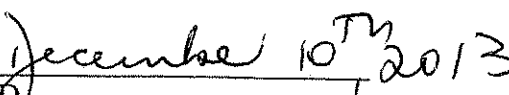
1. Carol D. Ament, R.N., is hereby REPRIMANDED.
2. Ms. Ament shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Regulations Governing the Practice of Nursing.

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 on request.

FOR THE BOARD



Jay R. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing


ENTERED _____

Certified True Copy
By 

Virginia Board of Nursing

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.