

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:        TONYA E. LAMB, L.P.N.**  
**License No.: 0002-061935**

**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 August 27, 2013, in Henrico County, Virginia. Tonya E. Lamb, L.P.N., was not present nor was she represented by legal counsel. Janet B. Younger, R.N., P.N.P., Ph.D., 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. Lamb submitted written comments and/or objections.

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. Tonya E. Lamb, L.P.N., was issued License No. 0002-061935 on May 22, 2001 to practice practical nursing in Virginia. The license is scheduled to expire on September 30, 2014. Ms. Lamb also holds Certificate No. 1401-030454, which expired on May 31, 2002, to practice as a nurse aide. Her primary state of residence is Virginia.

2. By letter dated August 6, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Lamb notifying her that an informal conference would be held on August 27, 2013. The Notice was sent by certified and first class mail to 1734 Rosebrook Road, Stanardsville, Virginia 22973, the address of record on file with the Board of Nursing. The certified mail receipt was signed on August 7, 2013. The Notice sent by first class mail was not returned to the Board office. The Agency

Subordinate concluded that adequate notice was provided to Ms. Lamb, and the informal conference proceeded in her absence.

3. During the course of her employment with Golden Living Center, Charlottesville, Virginia, Ms. Lamb diverted narcotics for her personal and unauthorized use as evidenced by the following:

i. On April 27 and 28, 2013, Ms. Lamb documented withdrawing four dosage units of oxycodone from Resident A's stock; however, she failed to administer the medication.

ii. On April 26, 2013, Ms. Lamb documented withdrawing two dosage units of hydrocodone from Resident B's stock; however, he was not in the facility.

iii. On April 24 and 25, 2013, Ms. Lamb forged another nurse's initials and withdrew oxycodone and hydrocodone from Residents C, D, and E's stock, and failed to administer the medications.

iv. From April 10, 2013, to April 24, 2013, Ms. Lamb documented withdrawing 34 dosage units of oxycodone from Resident F's stock and 16 dosage units of oxycodone from Resident G's stock and failed to administer the medications.

4. On March 18 and 26, 2013, Ms. Lamb placed two orders for 60 dosage units of oxycodone for Resident G, even though the resident was not administered oxycodone every day. Further, when the medication was delivered by the pharmacy, she failed to add it to the narcotic count sheet.

5. In January 2013, Ms. Lamb diverted oxycodone, hydromorphone, and methadone from the stock of multiple residents and altered and/or destroyed the narcotic sheets.

6. Ms. Lamb is receiving treatment at Greene Family Medicine Practice for depression and unspecified temporomandibular joint disorders, for which she is prescribed hydrocodone (Schedule III), paroxetine mesylate, and bupropion HCl. From December 2011 to February 22, 2012, Ms. Lamb

received treatment at Oakton Urgent Care Center, where she was initially diagnosed with chronic back pain and obesity and was prescribed oxycodone (Schedule II), methadone (Schedule II), and Wellbutrin. At her last appointment on February 22, 2012, Ms. Lamb was diagnosed as being drug dependent. It was noted that her pain control was fair to good with low doses of opiates and she was instructed to stop using opiates. Ms. Lamb was prescribed Subutex (buprenorphine, Schedule III) and Phenergan and instructed to follow-up in one week; however, she failed to return.

7. On November 8, 2007, in the General District Court of Albemarle County, Virginia, Ms. Lamb was convicted of misdemeanor larceny. She was sentenced to 30 days in jail, suspended, and ordered to pay court costs of \$81.00, which were paid on January 11, 2008.

#### **CONCLUSIONS OF LAW**

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), (6), and (8) of the Code and 18 VAC 90-20-300(A)(2)(c), (e), and (f) of the Regulations Governing the Practice of Nursing ("Regulations").
2. Findings of Fact Nos. 4 and 5 constitute a violation of § 54.1-3007(2), (5), (6), and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) and (f) of the Regulations.
3. Finding of Fact No. 6 constitutes a violation of § 54.1-3007(6) of the Code.
4. Finding of Fact No. 7 constitutes a violation of § 54.1-3007(4) of the Code.

#### **ORDER**

WHEREFORE, it is hereby ORDERED as follows:

1. License No. 0002-061935 of Tonya E. Lamb, L.P.N., is INDEFINITELY SUSPENDED for a period of not less than two years.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Lamb shall petition the Board for reinstatement of her license, an

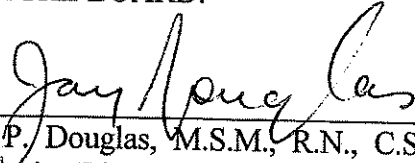
administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of practical nursing. Ms. Lamb shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.

4. This suspension applies to any multistate privilege to practice practical nursing.

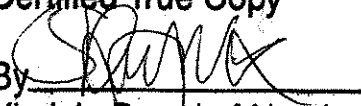
Pursuant to § 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

Since Ms. Lamb failed to appear at the informal conference, this Order shall be considered final. Ms. Lamb 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. Lamb has thirty (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, Henrico, 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 10<sup>TH</sup>, 2013

**Certified True Copy**  
By   
Virginia Board of Nursing