

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: MARY ORR, L.P.N.
License No.: 0002-067334**

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on October 24, 2013, in Henrico County, Virginia, to inquire into evidence that Mary Orr, L.P.N., may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Orr was present and was not represented by legal counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Mary Orr, L.P.N., was issued License No. 0002-067334 to practice practical nursing in the Commonwealth of Virginia on October 9, 2003. Said license is scheduled to expire on February 28, 2014. She previously held licenses in Arizona and New Mexico, both of which have expired. Her primary state of residence is Virginia.

2. By letter dated October 1, 2013, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Orr notifying her that an informal conference would be held on October 24, 2013. The Notice was sent by certified and first class mail to 6 Meadow Creek Drive, Newport News, Virginia 23608, the address of record on file with the Board of Nursing.

3. During the course of her employment with Maxim Healthcare Services, Newport News, Virginia, between February 2012 and January 31, 2013, while assigned to provide care to Patient A, a pediatric patient with cerebral palsy who required constant medical care, including suctioning fluid from her lungs, Ms.

Orr frequently left the patient in her elementary school classroom without medical supervision to take smoke and lunch breaks.

4. At the informal conference, Ms. Orr acknowledged that she knew that by agreement with Maxim and the school, she was not supposed to leave the patient, but she stated that the classroom teacher had given her permission to leave the classroom for up to 30 minutes a day to eat lunch and smoke.

5. On January 31, 2013, Ms. Orr left the patient in the classroom to take a break outside. The teacher called her on her cell phone to tell her to come back and suction the child. Ms. Orr could not get back into the building because the building was locked.

6. There was no harm noted to the patient as a result of Ms. Orr's leaving her without medical supervision.

7. Ms. Orr's employment with Maxim was terminated in February 2013 as a result of this incident. She had been employed with Maxim since 2007. Ms. Orr stated that she was currently employed with Interim Healthcare and was assigned to care for another child in a school system. She stated that she did not leave this child while on duty.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation 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

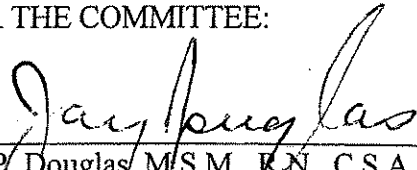
On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. Mary Orr, L.P.N., is hereby REPRIMANDED.
2. Ms. Orr 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.

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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Orr may, not later than 5:00 p.m., on December 3, 2013, 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 COMMITTEE:




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

ENTERED: October 31ST, 2013

This Order shall become final on December 3, 2013, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 

Virginia Board of Nursing