

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: LATONYA JONES, L.P.N.
License No.: 0002-082711

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 September 18, 2013, in Henrico County, Virginia, to inquire into evidence that Latonya Jones, L.P.N., may have violated certain laws and regulations governing practical nursing practice in Virginia. The case was presented by James E. Rutkowski, Adjudication Specialist, Administrative Proceedings Division. Erin Barrett, Assistant Attorney General, was present as legal counsel for the Board. Ms. Jones was not present and was not represented by legal counsel. 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. Latonya Jones, L.P.N., was issued License No. 0002-082711 to practice practical nursing in the Commonwealth of Virginia on June 24, 2010. Said license expires on July 31, 2015. Ms. Jones' primary state of residence is Virginia.
2. Based upon the representations of James E. Rutkowski, Adjudication Specialist, and Commonwealth's Exhibit No. 1, the Amended Notice of Formal Hearing and Statement of Particulars and the Amended Affidavit of Mailing, and Commonwealth's Exhibit No. 3, the U.S. Postal Service online tracking of the Notice sent by certified mail to Ms. Jones, the presiding officer ruled that adequate notice was provided to Ms. Jones and the hearing proceeded in her absence.
3. On May 7, 2012, during the course of her employment with Consulate Health Care, Windsor,

Virginia, Ms. Jones spoke to Resident A, who was alert and oriented, in a rude manner while insisting that Resident A take her medication, after Ms. Jones requested a delay in taking it because she felt nauseated. Further, by her own admission, Ms. Jones failed to note that Resident A had an order for Phenergan (C-VI) on file since April 16, 2012, which would have assisted with Resident A's nausea.

4. Ms. Jones stated to a Department of Health Professions investigator that she did not speak rudely to the resident, but felt that she was encouraging her to take her medication.

5. On May 16, 2012, Ms. Jones' employment with Consulate Health Care was terminated as a result of the incident in Finding of Fact No. 3. Prior to her termination, Ms. Jones had two corrective actions. On March 2, 2011, she was counseled for creating an unprofessional, intimidating and/or hostile environment, and on July 5, 2011, she was counseled regarding her attendance and punctuality.

CONCLUSIONS OF LAW

The Board concludes that 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

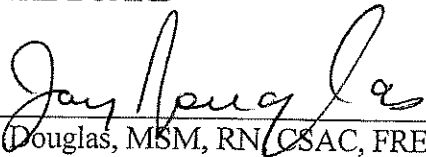
WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. Latonya Jones, L.P.N., is hereby REPRIMANDED.
2. Ms. Jones shall provide the Board with verification that she has completed the following three NCSBN online courses within 60 days of the entry of this Order: (1) *Ethics of Nursing Practice*; (2) *Professional Accountability & Legal Liability for Nurses*; and (3) *Righting a Wrong: Ethics and Professionalism in Nursing*.
3. Ms. Jones 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.

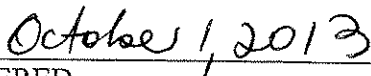
4. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. Jones and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

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



ENTERED

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, 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. 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.

Certified True Copy

By 

Virginia Board of Nursing