

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: PAULA G. RICE, L.P.N.

CONSENT ORDER

After an Informal Conference held on April 27, 1990, pursuant to §§ 54.1-110 and 54.1-3010 of the Code of Virginia (1950), as amended, which conference was properly noticed and attended by the parties hereto, the Virginia Board of Nursing and Paula G. Rice, L.P.N., enter into the following Consent Order.

FINDINGS OF FACT

1. Paula G. Rice, L.P.N., holds License No. 0002-023113, issued by the Virginia Board of Nursing.

2. From on or about July, 1989 to October 21, 1989, Ms. Rice obtained Percocet, a Schedule II controlled substance, for her own personal and unauthorized use. Said diversion was accomplished by falsifying other nurses' signatures for administrations of Percocet, and by charting administrations to patients who did not require the medication.

3. On or about October 23, 1989, she was terminated from employment due to diversion of Percocet and falsification of patient records.

4. Since December, 1988, Ms. Rice has been under the care of a physician for treatment of sickle cell disease. During this time, she has been prescribed Percocet for shoulder pain due to bone destruction related to her illness.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that Paula G. Rice, L.P.N., has violated §§ 54.1-3007(2) and (5) of the Code of Virginia (1950), as amended, and § 4.1B(3) of the Board of Nursing Regulations.

CONSENT

Paula G. Rice, L.P.N., by affixing her signature hereon, agrees to the following:

1. She acknowledges that she has been specifically advised to seek advice of counsel prior to signing this document;

2. She acknowledges that she is fully aware that without her consent, no legal action can be taken against her, except pursuant to the Virginia Administrative Process Act, § 9-6.14:1 et seq. of the Code of Virginia (1950), as amended;

3. She acknowledges that she has the following rights, among others: the right to a formal fact finding hearing before the Board, to reasonable notice of said hearing, to representation by counsel, and the right to cross examine witnesses against her;

4. She waives all such rights to a formal hearing;

5. She admits to the above Findings of Fact; and

6. She consents to the entry of the following Order affecting her license to practice nursing in the Commonwealth of Virginia.

ORDER

On the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Consent Order, hereby ORDERS that License No. 0002-023113, issued to Paula G. Rice, L.P.N., to practice practical nursing in the Commonwealth of Virginia, be placed on PROBATION with the following terms and conditions:

1. The probationary period will commence on the date of entry of this Consent Order and will end upon completion of one (1) year of employment as a Licensed Practical Nurse.

2. Ms. Rice will inform the Board in writing of the date she resumes practice and will provide the Board with the name and address of the employer. She will inform the Board of any change of employment including the name and address of the new employer as well as the date she began employment. She will inform the Board of any interruption in nursing practice.

3. Ms. Rice will inform her nursing employer and any prospective nursing employer that the Board has placed her license on probation. The Board may provide her employer with a copy of this Consent Order and may communicate with her employer.

4. Ms. Rice will direct her nursing employer to submit a nursing performance evaluation to the Board every three months, the first evaluation to be submitted the third month following the beginning of employment and continuing every three months until the cessation of probation.

5. Ms. Rice will continue in treatment until discharged and will direct the therapist to provide the Board with a quarterly progress report to include a diagnosis, recommended course of therapy, and prognosis. The therapist will submit a discharge summary when appropriate. The Board may provide her therapist with a copy of this Consent Order and communicate with her therapist regarding her progress.

6. Ms. Rice will direct her therapist to notify the Board if she withdraws from the treatment program prior to discharge.

7. Ms. Rice will submit quarterly reports which will include her current address and current employment, if any. This report is due the third month following the date of entry of this Consent Order, and each quarter thereafter during her period of nursing probation.

8. Ms. Rice will return all copies of her current license to practice practical nursing to the Board office within ten (10) days of the date of entry of this Consent Order. Upon receipt of the old license and a \$10.00 fee, the Board will issue a new license marked PROBATION WITH TERMS.

9. Ms. Rice will maintain a course of conduct in her capacity as a Licensed Practical Nurse commensurate with the requirements of Title 54.1, Chapter 30 of the Code of Virginia (1950), as amended, and the Regulations of the Board of Nursing.

Any violation of the terms and conditions hereof will constitute grounds for the revocation of the license of Paula G. Rice, L.P.N., and a hearing will be convened to determine whether her license will be revoked.

Pursuant to § 9-6.14:14 of the Code of Virginia (1950), as amended, the signed original of this Consent 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

Patricia W. Williams RN
Patricia W. Williams, R.N.
President

Entered: July 21, 1990

Seen and Agreed to:

Paula G. Rice
Paula G. Rice, L.P.N.

Subscribed and sworn to before me Rhonda S. Campbell, a Notary Public in and for the City/County of Petersburg, Commonwealth of Virginia, by Paula G. Rice, L.P.N., this 24th day of May 19 90.

My commission expires: 7/5/91

Rhonda S. Campbell
Notary Public

RECEIVED: July 26, 1990

BY: Bernard L. Henderson Jr.
Bernard L. Henderson, Jr., Director
Department of Health Professions