

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

PAULA LAVERN RICE-BRIGGS

ORDER

Pursuant to § 2.2-4019, § 2.2-4021 and § 54.1-3010 of the Code of Virginia (1950), as amended, a Special Conference Committee of the Board of Nursing (the "Board") met on August 1, 2002, in Henrico County, Virginia, to receive and act upon evidence regarding the petition of Paula LaVern Rice-Briggs for reinstatement of her license to practice practical nursing in the Commonwealth of Virginia, which was indefinitely suspended by Order entered September 23, 1992. Ms. Rice-Briggs was present and was not represented by counsel.

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

FINDINGS OF FACT

1. Paula LaVern Rice-Briggs previously held License No. 0002-023113 to practice practical nursing, which was issued by the Board.
2. By Consent Order entered July 24, 1990, the Virginia Board of Nursing placed Ms. Rice-Briggs' license to practice as a practical nurse on probation with terms, due to her diversion of Percocet (oxycodone and acetaminophen, Schedule II) from her place of employment for her personal and unauthorized use to treat pain.
3. By Order entered September 23, 1992, the Virginia Board of Nursing placed Ms. Rice-Briggs' license on indefinite suspension due to her violation of the terms and conditions of probation, to include her unauthorized alteration of the refill instructions on a prescription for Lorcet Plus (hydrocodone bitartrate with acetaminophen, Schedule III).

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4. Records indicate that between November 23, 1991, and August 8, 2000, Ms. Rice-Briggs was treated on approximately forty-two (42) occasions by Mark Ende, M.D., through the Southside Regional Medical Center (SSRMC), Petersburg, Virginia, for painful crises resulting from a chronic illness. These treatments normally included the administration of pain medications such as Demerol (meperidine, Schedule II), MS Contin (morphine sulfate, Schedule II), and Percocet (oxycodone and acetaminophen, Schedule II) along with other medications intended to resolve these acute crises.
5. As noted in the 1992 Board Order, Ms. Rice-Briggs received treatment for substance abuse at John Randolph Medical Center, Hopewell, Virginia, in 1992. For approximately two and a half (2 ½) years, between about 1994 and 1997, she participated in therapy with Margaret Jarvis, M.D., at the Medical College of Virginia Pain Management Center, Richmond, Virginia. Dr. Jarvis confirmed this in a letter dated May 5, 1997, and supported Ms. Rice-Briggs' return to nursing.
6. A letter from Ms. Rice-Briggs' primary care physician, Dr. Ende, indicates that as of September 14, 2001, her condition was stable. Ms. Rice-Briggs reported that Dr. Ende prescribes Vioxx (rofecoxib, Schedule VI) and 5mg doses of methadone (Schedule II) to her for pain. A letter from Wilhelm Zuelzer, M.D., of the Medical College of Virginia, Department of Orthopaedic Surgery, confirmed that as of September 4, 2001, he was treating Ms. Rice-Briggs, and had no objection to her return to nursing.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that Paula LaVern Rice-Briggs has met the requirements of § 54.1-3009 of the Code and that she is competent to return to the practice of nursing with reasonable skill and safety to her patients, subject to certain restrictions,

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as more fully set forth below.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS that the license of Paula LaVern Rice-Briggs to practice practical nursing in the Commonwealth of Virginia, License No. 0002-023113, be and hereby is, REINSTATED, and further ORDERS that Ms. Rice-Briggs be placed on PROBATION, subject to the following terms and conditions:

1. The period of probation shall begin on the date that this Order is entered and shall end upon successful completion of Term No. 3. The license of Paula LaVern Rice-Briggs shall be reinstated without restriction at the completion of the probationary period without a hearing unless there is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 2.2-4000.A, et seq., of the Code of Virginia (1950), as amended.
2. Paula LaVern Rice-Briggs shall submit quarterly "Self-Reports" which include a current address, telephone number, and all current employment. Said reports shall be sent to the Board office with the first report being received no later than sixty (60) days following the date that this Order is final. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends.
3. Paula LaVern Rice-Briggs shall enroll in and successfully complete a Board-approved refresher course or extensive orientation and shall not practice until she has provided written evidence to the Board of satisfactory completion of the course and has received permission

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from the Board to do so.

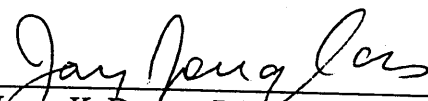
4. The Board shall issue Ms. Rice-Briggs a license marked "PROBATION WITH TERMS.
5. Paula LaVern Rice-Briggs, as a licensed practical nurse, shall conduct herself in compliance with the requirements of Title 54.1, Chapter 30 of the Code of Virginia (1950), as amended, and the Board of Nursing Regulations.

Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Rice-Briggs, and a hearing shall be held to decide whether her license shall be revoked.

Pursuant to § 2.2-4023 of the Code of Virginia (1950), as amended, 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.

If Ms. Rice-Briggs does not consent to the Committee's decision and desires a hearing before the Board or a panel thereof, she shall notify, in writing, Nancy K. Durrett, R.N., Executive Director of the Board of Nursing, within thirty-three (33) days from the date of entry of this Order. This Order shall become final upon the expiration of the thirty-three day period unless a written request for a formal hearing is received within such time. Upon receiving timely request for a hearing, the Board or a panel thereof shall then proceed with a hearing provided in § 2.2-4020 and § 2.2-4021 of the Code of Virginia (1950), as amended.

FOR THE BOARD



Nancy K. Durrett, R.N., M.S.N.
Executive Director for the Board of Nursing

ENTERED: August 15th, 2002

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Certificate of Service

I hereby certify that a certified true copy of the Order was mailed on this day to Paula LaVern Rice-Briggs at 1203 West High Street, Petersburg, Virginia 23803.

Nancy K. Durrett

Nancy K. Durrett, R.N., M.S.N.
Executive Director for the
Board of Nursing

August 15th, 2002

DATE

Certified True Copy
By *NK* 8/15/02
Virginia Board of Nursing