

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: JESSICA N. NAPIER, L.P.N.
License No.: 0002-080834

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 Virginia Board of Nursing ("Board") on April 18, 2013, in Henrico County, Virginia. Ms. Napier was not present and was not represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On July 16, 2013, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Napier was not present nor was she represented by legal counsel. 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. Jessica N. Napier, L.P.N., was issued License No. 0002-080834 to practice as a practical nurse in Virginia on July 29, 2009. Her license is set to expire on April 30, 2014. Ms. Napier's primary state of residence is Virginia.
2. By letter dated March 27, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Napier notifying her that an informal conference would be held on April 18, 2013. The Notice was sent by certified and first class mail to 1844 Clover Hill Rd., Dayton, Virginia 22821, the address of record on file with the Board of Nursing. The certified mail was received and signed for by someone at that address. The first class mail sent to the address of record was not returned. The Agency Subordinate concluded that adequate notice was provided to Ms. Napier, and the informal

conference proceeded in her absence.

3. During the course of her employment as a practical nurse at Bridgewater Retirement Community, Bridgewater, Virginia, between June 11 and June 27, 2012:

a. On several occasions, Ms. Napier administered Percocet (oxycodone and acetaminophen, Schedule II) to Resident A more frequently than every four hours as prescribed. Ms. Napier noted in the resident's controlled substance record that the resident had vomited in order for Ms. Napier to justify giving her additional Percocet.

b. Ms. Napier instructed several medication aides to sign the medication administration record following her administration of Percocet or morphine to the resident.

c. On June 27, 2012, Ms. Napier documented giving the resident Percocet at 6:15 p.m., when she had clocked out at 5:45 p.m.

d. Ms. Napier resigned her employment in lieu of termination, although she denied diversion.

4. Ms. Napier obtained at least 18 prescriptions for narcotic medications, including hydrocodone and oxycodone (both Schedule II), from six different prescribers from approximately November 2011 to July 2012, for a total of 215 tablets.

5. Ms. Napier was not employed as of the August 2012 interview with the Department of Health Professions' investigator, but her current employment status is unknown.

6. Ms. Napier has not contacted the Health Practitioners' Monitoring Program.

CONCLUSIONS OF LAW

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

2. Finding of Fact No. 3(b) constitutes a violation of §54.1-3007 (5) of the Code.
3. Finding of Fact No. 3(c) constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations.
4. Finding of Fact No. 4 constitutes a violation of §54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

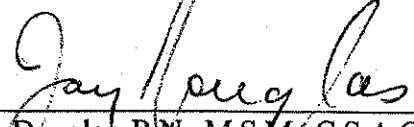
1. License No. 0002-080834 of Jessica N. Napier, L.P.N., is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Napier shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of practical nursing. Ms. Napier 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. Napier failed to appear at the informal conference, this Order shall be considered final. Ms. Napier 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. Napier 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, R.N., M.S.M.,

C.S.A.C., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

FOR THE BOARD

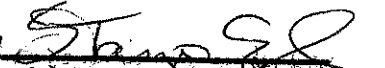


Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director
Virginia Board of Nursing

Entered:

August 22nd, 2013

Certified True Copy

By 
Virginia Board of Nursing