

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: TIFFANY PORTER, L.P.N.
License No.: 0002-054120

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 July 15, 2013, in Henrico County, Virginia, to inquire into evidence that Tiffany Porter, L.P.N., may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board ("Board's Order") entered on July 17, 2012. The case was presented by Cynthia E. Gaines, Adjudication Specialist, Administrative Proceedings Division. Braden Curtis, Assistant Attorney General, was present as legal counsel for the Board. Ms. Porter 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. Tiffany Porter, L.P.N., was issued License No. 0002-054120 to practice practical nursing in the Commonwealth of Virginia on March 20, 1997. Said license was indefinitely suspended, with the suspension stayed contingent upon Ms. Porter's compliance with the Board's Order entered July 17, 2012. On October 31, 2012, the Board indefinitely suspended Ms. Porter's license due to her failure to comply with the terms and conditions of the Board's Order. Ms. Porter's primary state of residence is Virginia.

2. Based upon the representations of Cynthia E. Gaines, Adjudication Specialist, and Commonwealth's Exhibit No. 1, the Notice of Formal Hearing and Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in her absence.

3. Term 5 of the Board's Order required Ms. Porter to enter the Health Practitioners' Monitoring Program ("HPMP") and remain compliant with the terms and conditions of the HPMP for the period specified by the HPMP.

4. On October 19, 2012, Ms. Porter was dismissed from the HPMP for non-compliance with her Participation Contract. Specifically, Ms. Porter failed to attend orientation and failed to register with the urine drug screen program.

5. On November 15, 2012, Ms. Porter returned her license to the Board with "Voluntary Surrender" written across the front.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 4 constitutes a violation of Term 5 of the Board's Order entered July 17, 2012.

ORDER

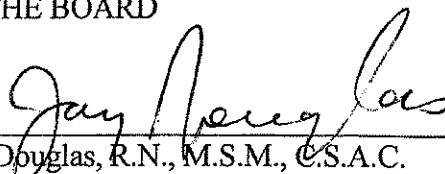
WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. Tiffany Porter, L.P.N., is hereby REPRIMANDED.
2. The Board ACCEPTS the VOLUNTARY SURRENDER for INDEFINITE SUSPENSION of Ms. Porter's license to practice practical nursing in the Commonwealth of Virginia.
3. The license of Ms. Porter will be recorded as SUSPENDED and no longer current. Should Ms. Porter seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license prior to issuance of her license resume practice.
4. At such time as Ms. Porter shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of practical nursing.
5. This Order shall be applicable to Ms. Porter's multistate licensure privileges, if any, to

practice practical nursing.

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

July 25th, 2013

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, R.N., M.S.M., C.S.A.C., 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