

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

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

**CONSENT ORDER**

The Virginia Board of Nursing ("Board") and Tiffany Porter, L.P.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Porter's license to practice practical nursing in Virginia.

The Board adopts 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 by the Virginia Board of Nursing on March 20, 1997. Said license is set to expire on January 13, 2013. Ms. Porter also held a license to practice practical nursing in Florida. Said license is expired. Her primary state of residence is Virginia.
2.     During the course of her employment with Envoy of Stratford Hills, Richmond, Virginia, on November 11, 2011, Ms. Porter diverted six dosage units of Percocet (oxycodone, Schedule II) from a resident's medication card for her own personal and unauthorized use.
3.     Ms. Porter submitted to a for-cause urine drug screen on November 11, 2011. The screen was positive for oxycodone (Schedule II), cannabinoids (Schedule I), hydrocodone (Schedule III) and opiates for which she did not have a valid prescription. Ms. Porter's employment with Envoy of Stratford Hills was terminated as a result.

4. On June 20, 2011, Ms. Porter was admitted to the CJW Medical Center emergency room, Richmond, Virginia, after falling at work and making bizarre statements. Ms. Porter reported increased depression and auditory hallucinations over the prior two months. She was discharged on June 23, 2011, with a diagnosis of schizoaffective disorder.

5. Ms. Porter has been under the care of a physician, who manages her medications, at Bon Secours Behavioral Health Group, Henrico, Virginia, since September 2011. Ms. Porter submitted to a urine drug screen requested by an investigator for the Department Health Professions on December 7, 2011, and the results were negative.

### CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of §54.1-3007(2), (5), (6), and (8) of the Code of Virginia (1950), as amended (“Code”) and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing.

2. Findings of Fact Nos. 3 and 4 constitute a violation of §54.1-3007(6) of the Code.

### CONSENT

Tiffany Porter, L.P.N., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, §2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;

5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;

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

**ORDER**

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. License No. 0002-054120 of Tiffany Porter, L.P.N., is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. 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 capable of resuming the safe and competent practice of practical nursing. Ms. Porter 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 in the Commonwealth of Virginia.
5. This suspension shall be STAYED upon proof of Ms. Porter's entry into the Health Practitioners' Monitoring Program ("HPMP") pursuant to Chapter 25.1 of Title 54.1 of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPMP. At such time, the indefinite suspension shall be STAYED and the following terms and conditions shall apply:
  - a. Ms. Porter shall comply with all terms and conditions for the period specified by the HPMP.

b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Ms. Porter, and an administrative proceeding shall be held to determine whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:

- i. Ms. Porter is not in compliance with the terms and conditions specified by the HPMP;
- ii. Ms. Porter's participation in the HPMP has been terminated;
- iii. There is a pending investigation or unresolved allegation against Ms. Porter involving a violation of law, regulation, or any term or condition of this order.

6. This Order is applicable to Ms. Porter's multistate licensure privileges, if any, to practice practical nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Porter shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where Ms. Porter wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

7. Ms. Porter 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.

8. Upon receipt of evidence of Ms. Porter's participation in and successful completion of the terms specified by the HPMP, the Committee, at its discretion, may waive Ms. Porter's appearance before the Committee, and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

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 upon request.

FOR THE BOARD

Patricia M. Selig  
Patricia M. Selig, L.P.N., F.N.P., Ph.D.  
President, Virginia Board of Nursing

ENTERED: July 17, 2012

SEEN AND AGREED TO:

Tiffany Porter, L.P.N.  
Tiffany Porter, L.P.N.

COMMONWEALTH OF VIRGINIA,  
COUNTY/CITY OF Hennico, TO WIT:

Subscribed and sworn to before me, Holly Danielle Hughes, a Notary Public, this 10<sup>th</sup> day of July, 2012.

My commission expires May 31, 2016.

Registration Number 7517044.



Holly Danielle Hughes  
NOTARY PUBLIC

Certified True Copy

By L. Pratt

Virginia Board of Nursing