

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: PHYLLIS EVERETT, R.M.A.
Registration No.: 0031-003177

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 Board of Nursing ("Board") on May 9, 2013, in Henrico County, Virginia. Phyllis Everett, R.M.A., was 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. Everett 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. Phyllis Everett, R.M.A., was issued Registration No. 0031-003177 to practice as a medication aide in Virginia on July 10, 2009. The registration is scheduled to expire on June 30, 2014.
2. By letter dated April 4, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Everett notifying her that an informal conference would be held on May 9, 2013. The Notice was sent by certified and first class mail to 3512 Spence Road, Portsmouth, Virginia 23703, the address of record on file with the Board of Nursing.
3. During the course of her employment with Colonial Home Assisted Living Facility, Chesapeake, Virginia:
 - a. On July 31, 2012, Ms. Everett failed to follow the physician's orders for insulin

administration for Resident A and administered eight units of insulin instead of two units.

b. On June 22 and 23, 2012, Ms. Everett failed to obtain and document pulse rates with the administration of digoxin for Residents B and C.

c. On June 22 and 23, 2012, Ms. Everett failed to document dressing changes on the medication administration record ("MAR") for Resident D and signed the MAR several days later.

d. On August 1, 2012, Ms. Everett used profanity towards the administrator while in the facility.

e. There was no patient harm reported from any of the incidences.

4. Ms. Everett stated that she gave Resident A two units of insulin but mistakenly charted eight units as that had been the previous. Ms. Everett stated that she obtained the pulse rates for Residents B and C, but failed to document them. Ms. Everett resigned in lieu of termination at Colonial Home Assisted Living Facility effective August 1, 2012. Ms. Everett stated that since September 10, 2012, she has been employed at Emily Green Shores Retirement Home and that she has not had any disciplinary actions taken against her.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 3(a) and 3(b) constitute a violation of § 54.1-3007(2), (5) and (8) of the Code, and 18 VAC 90-60-110(A)(2), 18 VAC 90-60-120(2)(b), (f), (l) and (m) and 18 VAC 90-60-120(3) of the Regulations Governing the Registration of Medication Aides ("Regulations").

2. Finding of Fact No. 3(c) constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code, and 18 VAC 90-60-110(A)(2), 18 VAC 90-60-120(2)(f), (l) and (m) and 18 VAC 90-60-120(3) of the Regulations.

3. Finding of Fact No. 3(d) constitutes a violation of § 54.1-3007(5) of the Code.

ORDER


WHEREFORE, it is hereby ORDERED as follows:

1. Phyllis Everett, R.M.A., is hereby REPRIMANDED.
2. Ms. Everett shall maintain a course of conduct in her capacity as a medication aide commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Regulations Governing Medication Aides.

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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Everett may, not later than 5:00 p.m., on August 26, 2013, notify 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, in writing that he/she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD:

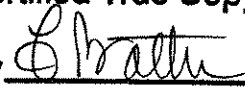


Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director
Virginia Board of Nursing

ENTERED: July 23, 2013RD

This Order shall become final on August 26, 2013; unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 

Virginia Board Of Nursing