

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:           FOY J. SURRETT, R.M.A.**  
**Registration No.: 0031-001946**

**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 April 17, 2013, in Henrico County, Virginia. Foy J. Surratt, R.M.A., was present and was not represented by legal counsel. Judith E. Piersall, R.N., B.S.N., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On May 22, 2013, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Mr. Surratt was not present nor was he 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. Foy J. Surratt, R.M.A., was issued Registration No. 0031-001946 to practice as a medication aide in Virginia on January 5, 2009. The registration is scheduled to expire on October 31, 2013. By Order entered December 14, 2010, Mr. Surratt was reprimanded for multiple medication administration and documentation errors.

2. By Consent Order entered February 28, 2011, by the Virginia Board of Long-Term Care Administrators, Mr. Surratt's assisted living facility administrator ("A.L.F.A.") license was placed on probation for one year due to findings that he altered the dosage of insulin for a resident without a physician's order, administered medications later than scheduled, and failed to properly utilize the medication administration record ("MAR") in conjunction with the administration of medications. By Consent Order entered July 23, 2012, Mr. Surratt's A.L.F.A. license was indefinitely suspended due to findings that he failed to comply with the terms and conditions of the Consent Order entered February 28, 2011, an additional instance of pre-pouring

medications for residents, and inaccurately documenting on the MAR.

3. By letter dated March 5, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Mr. Surratt notifying him that an informal conference would be held on April 17, 2013. The Notice was sent by certified and first class mail to 2904 Double Cabin Road, Hillsville, Virginia 24343, the address of record on file with the Board of Nursing.

4. While owner and administrator at Green Hill Home for Adults, Hillsville, Virginia and while serving as the facilities Registered Medication Aide, on August 13, 2012, Mr. Surratt was observed pre-pouring all the morning medications, placing them in unlabeled cups and leaving the cups unsecured on the medication cabinet while he administered medications to residents throughout the facility. Mr. Surratt failed to use the medication administration record ("MAR") while preparing medications and he failed to document administration in the MAR after administering medications to each resident. The medication pass was observed during a renewal inspection by the Department of Social Services, who reported the incident to the Department of Health Professions.

5. Mr. Surratt reported that Green Hill Home for Adults has a new administrator and that he has transferred ownership of the business to his wife. He has no plans to apply for the reinstatement of his A.L.F.A. license.

#### **CONCLUSIONS OF LAW**

Finding of Fact No. 4 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-60-110(A)(2) and 18 VAC 90-60-120(2)(b), (l) and (m) and (3) of the Regulations Governing the Registration of Medication Aides.

#### **ORDER**

WHEREFORE, it is hereby ORDERED as follows:

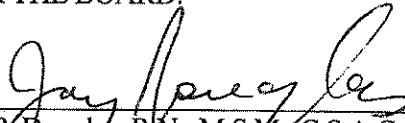
1. Registration No. 0031-001946 of Foy J. Surratt, R.M.A., is INDEFINITELY SUSPENDED.
2. The registration will be recorded as suspended and no longer current.
3. At such time as Mr. Surratt shall petition the Board for reinstatement of his registration, an administrative proceeding will be convened to determine whether he is capable of resuming safe and competent

practice as a medication aide. Mr. Surratt shall be responsible for any fees that may be required for the reinstatement and renewal of the registration prior to issuance of the registration to resume practice.

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, Mr. Surratt may, not later than 5:00 p.m., on **July 5, 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 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:

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

ENTERED: May 31<sup>ST</sup>, 2013

This Order shall become final on July 5, 2013; unless a request for a formal administrative hearing is received as described above.

**Certified True Copy**

By   
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Virginia Board Of Nursing