

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

LISHA D. GRIER, L.P.N.

ORDER

Pursuant to § 9-6.14:11 and § 54.1-3010 of the Code of Virginia (1950), as amended, an informal conference was held before a Special Conference Committee of the Board of Nursing ("the Committee") on August 14, 2000, in Henrico County, Virginia, to receive and act upon evidence that Lisha D. Grier, L.P.N., may have violated certain laws and regulations governing the practice of practical nursing in Virginia. Ms. Grier was not present and was not represented by counsel.

Upon consideration of the evidence presented, the Committee adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Lisha D. Grier, L.P.N., held License No. 0002-052619 issued by the Virginia Board of Nursing, which expired May 31, 2000, due to her failure to renew.
2. During the course of her employment with Pediatric Services of America, Norfolk, Virginia:
  - a) On or about July 3, 1999, Ms. Grier was assigned to provide care to Resident A, a 23 month old child, from 9 p.m. – 7 a.m. At approximately 6:00 a.m., Resident A's mother heard him gasping for breath. She entered the room and found Ms. Grier sitting up asleep on the couch. Resident A's mother proceeded to suction him, at which point Ms. Grier woke up.
  - b) On or about July 12, 1999, Ms. Grier was assigned to work with Charito Leach, L.P.N., from 11 p.m. – 7 a.m., and receive orientation on Resident B. Ms. Grier

arrived at approximately 1:00 a.m., and while reviewing the resident's chart, by her own admission, began falling asleep. At approximately 4:00 a.m., Ms. Grier decided to leave. As a result of these incidents, Ms. Grier was removed from the night shift and on or about August 4, 1999, her employment was terminated.

- c) On or about November 10, 1999, Ms. Grier was rehired. On or about February 9, 2000, her employment was terminated due to frequent tardiness, absences and failure to comply with the facility's professional code of conduct in regards to patient confidentiality.

#### CONCLUSIONS OF LAW

The Board concludes that the above Findings of Fact constitute a violation of § 54.1-3007(2), (5) and (8) of the Code of Virginia (1950), as amended, and 18 VAC 90-20-300(A)(2)(f) of the Board of Nursing Regulations.

#### ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS that Lisha D. Grier, L.P.N., who held License No. 0002-052619 to practice practical nursing in the Commonwealth of Virginia, be and hereby is, REPRIMANDED. The Board expects Ms. Grier to maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of Title 54.1, Chapter 30, of the Code of Virginia (1950), as amended, and the Board of Nursing Regulations.

Pursuant to § 9-6.14:14 of the Code of Virginia (1950), as amended, 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.

If Ms. Grier does not consent to the Committee's decision and desires a hearing before the Board or a panel thereof, she shall notify Nancy K. Durrett, R.N., M.S.N., Executive Director, Board of Nursing, in writing at 6606 West Broad Street, Fourth Floor, Richmond, Virginia 23230-1717 within thirty-three (33) days from the date of entry of this Order. This Order shall become final upon the expiration of the thirty-three (33) day period unless a request for a formal hearing is received within such time. Upon receiving timely request for a hearing, the Board or a panel thereof shall then proceed with a hearing as provided in § 9-6.14:12 of the Code of Virginia (1950), as amended.

FOR THE BOARD

Nancy K. Durrett  
Nancy K. Durrett, R.N., M.S.N.  
Executive Director for the  
Board of Nursing

ENTERED: August 24, 2000

CERTIFICATE OF SERVICE

I hereby certify that a certified true copy of the foregoing Order was mailed on this day to Lisha D. Grier, L.P.N., at 2305 Shorebird Court, Chesapeake, VA 23323.

Nancy K. Durrett  
Nancy K. Durrett, R.N., M.S.N.  
Executive Director for the  
Board of Nursing

August 24, 2000  
Date