

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: LUBOV ANDREA SMITH, R.M.A.
License Number: 0031-008651
Case Number: 177514

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Nursing ("Board") and Lubov Andrea Smith, R.M.A., as evidenced by their signatures hereto, in lieu of proceeding to a formal administrative proceeding, enter into the following Consent Order affecting Ms. Smith's registration to practice as a medication aide in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Lubov Andrea Smith, R.M.A., was issued Registration Number 0031-008651 to practice as a medication aide on June 10, 2015, which is scheduled to expire on June 30, 2018.
2. Ms. Smith violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice as a medication aide due to substance abuse and/or mental and/or physical illness, as evidenced by the following:
 - a. On December 6, 2016, Ms. Smith was hospitalized at Lewis Gale Behavioral Health Center following an overdose of alcohol and medications, where she was diagnosed with borderline personality disorder, substance abuse and suicidal ideation.
 - b. On November 14, 2016, through November 18, 2016, Ms. Smith was hospitalized at Carilion Clinic, St. Albans Psychiatric Hospital, Christiansburg, Virginia, following an overdose of multiple medications and illegal drugs, where she was diagnosed with substance induced mood disorder, polysubstance abuse, and borderline personality disorder.

c. Ms. Smith has a history of post-traumatic stress disorder and she has not been compliant with follow-up psychiatric care since her discharge from the November and December hospitalizations.

3. Ms. Smith provided evidence that she is receiving counseling at Blue Ridge Behavioral Healthcare at the Burrell Center, Roanoke, Virginia. Ms. Smith also provided evidence that she has entered Celebration Recovery, a faith based 12-Step program. In a letter dated August 2, 2017, the program's ministry leader advised that Ms. Smith completed a six week challenge in the program on July 17, 2017.

4. By letter dated August 10, 2017, Ms. Smith advised that she was voluntarily surrendering her registration to practice as a medication aide.

5. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Smith's health records or health services.

CONSENT

Lubov Andrea Smith, R.M.A., by affixing her signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me or my registration except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;
4. I waive my right to an informal conference;

5. I admit to the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;

6. I consent to the entry of the following Order affecting my registration to practice as a medication aide in the Commonwealth of Virginia.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. The Board accepts the VOLUNTARY SURRENDER for INDEFINITE SUSPENSION of Lubov Andrea Smith's registration to practice as a medication aide in the Commonwealth of Virginia.
2. The registration of Ms. Smith will be recorded as SUSPENDED.
3. Should Ms. Smith seek reinstatement of her registration, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Smith to demonstrate that she is safe and competent to return to the practice of registered medication aides. Ms. Smith shall be responsible for any fees that may be required for the reinstatement and/or renewal of the registration prior to issuance of the registration to resume practice.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, 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.

FOR THE BOARD

Joyce A. Hahn
Joyce A. Hahn, PhD, RN, NEA-BC, FNAP
President
Virginia Board of Nursing

ENTERED: 11/14/17

SEEN AND AGREED TO:

Lubov Andrea Smith
Lubov Andrea Smith, R.M.A.

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

Subscribed and sworn to before me, a notary public in and for the Commonwealth of Virginia at large,
on this 4 day of October, 2017.

[Signature]
Notary Public

My commission expires: 3/31/2021

Registration No.: 7720042

DIANA KEVORKIAN
NOTARY PUBLIC
Commonwealth of Virginia
Reg #7720642
My Commission Expires 3/31/2021

Certified True Copy
By: *[Signature]*
Virginia Board of Nursing