

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

**TAMMY COLEMAN, R.N.
LICENSE NO.: 0001-134186**

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on July 20, 2011, in Henrico County, Virginia, to inquire into evidence that Tammy Coleman, R.N., may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board entered on January 24, 2007. The case was presented by David W. Kazzie, Adjudication Specialist, Administrative Proceedings Division. Rachel Baer, Assistant Attorney General, was present as legal counsel for the Board. Ms. Coleman was present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

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

FINDINGS OF FACT

1. Tammy Coleman, R.N., was issued License No. 0001-134186 to practice professional nursing on September 15, 1993. Said license was indefinitely suspended by the Board on May 6, 2011, following the rescission of a stay of an indefinite suspension. Ms. Coleman's primary state of residence is Virginia.
2. On January 24, 2007, the Board entered an Order indefinitely suspending Ms. Coleman's license to practice professional nursing in the Commonwealth ("Board's Order"). The Board stayed the indefinite suspension upon proof of not less than six months' compliance with a Recovery Monitoring Contract with the Health Practitioners' Monitoring Program ("HPMP").

3. Ms. Coleman signed a Participation Contract with the HPMP on January 28, 2007, and she signed eight Recovery Monitoring Contracts between May 21, 2007, and March 13, 2011.

4. Between March 17, 2009, and January 14, 2011, Ms. Coleman missed seven calls for urine drug screens and two urine drug screens. On February 11, 2011, a hair sample that Ms. Coleman submitted for testing was positive for the presence of methamphetamines. Ms. Coleman obtained unauthorized prescriptions for hydrocodone, as evidenced by Ms. Coleman's Prescription Monitoring Report. Further, upon the HPMP's recommendation that Ms. Coleman enter residential treatment, Ms. Coleman gave an entry date into a residential treatment center of March 9, 2011. Ms. Coleman's HPMP case manager was told that Ms. Coleman was not an inpatient resident at her self-reported residential treatment center on March 10, 2011.

5. On April 29, 2011, Ms. Coleman was dismissed from the HPMP for noncompliance with her program contract. At the formal hearing, Ms. Coleman stated that she would like to return to the HPMP.

CONCLUSION OF LAW

The Board concludes that Findings of Fact Nos. 4 and 5 constitute a violation of Term No. 2(a) of the Board's Order.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. Tammy Coleman, R.N., is hereby REPRIMANDED.
2. License No. 0001-134186, issued to Tammy Coleman, R.N., to practice professional nursing in the Commonwealth of Virginia, is hereby INDEFINITELY SUSPENDED. Said suspension shall be STAYED upon proof that Ms. Coleman has entered into a Recovery Monitoring Contract with the HPMP and upon the condition that she remain compliant with the terms of a Recovery Monitoring Contract with the HPMP and the following terms and conditions:

a. Ms. Coleman 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. Coleman, and an administrative proceeding shall be held to decide 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. Coleman is not in compliance with the terms and conditions specified by the HPMP, or has been terminated from participation in the HPMP, or

ii. There is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of this Order.

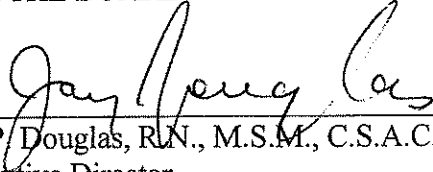
3. Upon receipt of evidence of Ms. Coleman's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Coleman's appearance before the Board, and conduct an administrative review of this matter, at which time she may be issued an unrestricted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

4. This Order shall be applicable to Ms. Coleman's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. It is further ordered that for the duration of this Order, Ms. Coleman may 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 she wishes to work.

5. Ms. Coleman shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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 on request.

FOR THE BOARD



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

August 11th, 2011
ENTERED

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with 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. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.