

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: CARLOTTA JANE SLOAN, R.N.  
License Number: 0001-172997  
Case Number: 174989

RATIFICATION AND ORDER

On July 19, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Carlotta Jane Sloan, R.N., was not present nor was she represented by legal counsel.


In consideration whereof, the Board of Nursing ACCEPTS the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and ADOPTS the Recommended Order in its entirety.

Pursuant to Virginia Code § 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.


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

Since Ms. Sloan failed to appear at the informal conference, this Order shall be considered final. Ms. Sloan has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Sloan has thirty days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay Douglas, M.S.M, R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three days are added to that period.

FOR THE BOARD

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

ENTERED AND MAILED ON:

  
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July 28, 2017

Certified True Copy

By   
Virginia Board of Nursing

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:           CARLOTTA JANE SLOAN, R.N.**  
**License Number: 0001-172997**  
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**REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE**

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**Jurisdiction and Procedural History**

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Jane Elliott, R.N., Ph.D., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on June 15, 2017 in Henrico County, Virginia, to inquire into evidence that Carlotta Jane Sloan, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Ms. Sloan did not appear at this proceeding and was not represented by legal counsel.

Upon consideration of the evidence, the Agency Subordinate makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

**Notice**

By letter dated May 17, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Sloan notifying her that an informal conference would be held on June 15, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. According to the USPS tracking website, notice of the certified mail package was left at Ms. Sloan’s address of record on May 20, 2017. The maximum hold time expired on June 5, 2017, and the unclaimed package was returned to the Board office. The Notice sent by first class mail was not returned to the Board office. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Ms. Sloan and the informal conference proceeded in her absence.

### **Recommended Findings of Fact and Conclusions of Law**

1. Carlotta Jane Sloan, R.N., was issued License Number 0001-172997 to practice professional nursing on February 13, 2001, which expired on June 30, 2016. At all times relevant to the findings herein, said license was in full force and effect. Her primary state of residence is Virginia.
2. On August 30, 2007, the Board entered an Order taking no action against Ms. Sloan contingent upon her continued compliance with the Health Practitioners' Monitoring Program ("HPMP") after making findings that she had forged a co-worker's initials regarding the witnessing of her alleged wasting of medication and that she had entered into the HPMP.
3. On May 20, 2009, the Board entered an Order indefinitely suspending Ms. Sloan's license to practice professional nursing after making a finding that she had been dismissed from the HPMP for noncompliance.
4. On May 31, 2013, the Board entered an Order reinstating Ms. Sloan's license contingent upon her continued compliance with the HPMP, which she had re-entered on January 9, 2013. Term No. 1 of this Order required Ms. Sloan to remain in compliance with the HPMP for the period specified by the HPMP.
5. Ms. Sloan violated Virginia Code § 54.1-3007(6) and Term No. 1 of the Order of the Board entered May 31, 2013, in that on July 15, 2016, she was dismissed from the HPMP for noncompliance, including failure to comply with the toxicology screening program.
6. Ms. Sloan violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice professional nursing due to substance abuse, as evidenced by the following:
  - a. Between January 2013 and June 2016, Ms. Sloan received outpatient treatment and counselling at Abingdon Center, Abingdon, Virginia, for diagnoses including opioid dependence and adjustment disorder with mixed anxiety and depressed mood.

b. On April 29, 2014, April 10, 2015, and April 22, 2016, Ms. Sloan submitted urine drug screens that were positive for tramadol (C-IV), for which she did not have a valid prescription. Ms. Sloan admitted to taking her husband's prescribed tramadol before the 2014 and 2015 drug screens.

7. On September 23, 2016, Ms. Sloan told an investigator for the Department of Health Professions that she did not intend to renew her license to practice professional nursing.

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

### Recommended Order

Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Board issue an Order as follows:

1. Carlotta Jane Sloan, R.N., is REPRIMANDED.
2. The right of Carlotta Jane Sloan, R.N., to renew her license to practice professional nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED for a period of not less than two years from date of entry of this Order.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. Should Ms. Sloan seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Sloan to demonstrate that she is safe and competent to return to the practice of professional nursing. Ms. Sloan shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.

**Certified True Copy**

By   
**Virginia Board of Nursing**

Reviewed and approved on June 21, 2017  
By Jane Elliott, R.N., Ph.D.  
Agency Subordinate