

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: CARLOTTA SLOAN, R.N.

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on August 7, 2007, in Henrico County, Virginia, to inquire into evidence that Carlotta Sloan, R.N., may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Sloan was not present and was not represented by counsel. Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Carlotta Sloan, R.N., was issued License No. 0001-172997 to practice professional nursing in the Commonwealth of Virginia on March 7, 1995. Said license expires on June 30, 2008.
2. By her own admission, Ms. Sloan diverted approximately 20 hydrocodone tablets from resident supplies in July, 2006, and August, 2006, while employed at Ridgecrest Manor Nursing and Rehabilitation, Duffield, Virginia (“Ridgecrest Manor”). She ingested the hydrocodone tablets while on and off duty.
3. On August 7, 2006, and August 8, 2006, during the course of Ms. Sloan’s employment at Ridgecrest Manor, she forged the initials of a co-worker so that it appeared that the co-worker had witnessed Ms. Sloan wasting medication for two residents, when the co-worker had not witnessed the wastage.
4. Ms. Sears-Cockram, who is Ms. Sloan’s Health Practitioners’ Intervention Program (“HPIP”) Case Manager, reported that Ms. Sloan signed a Recovery Monitoring Contract with HPIP in November, 2006, and that Ms. Sloan has been in compliance with that contract.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2), (5), (6), and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Board of Nursing Regulations.

2. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Board of Nursing Regulations.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. The Committee shall TAKE NO ACTION at this time, contingent upon Ms. Sloan's compliance with the following terms and conditions:

a. Ms. Sloan shall continue to comply with all terms and conditions of the Recovery Monitoring Contract with the HPIP for the period specified in the Contract.

2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Sloan, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Sloan shall be noticed to appear before the Board at such time as the Board is notified that:

a. Ms. Sloan is not in compliance with the terms and conditions of the HPIP, or has been terminated from participation in the HPIP;

c. There is a pending investigation or unresolved allegation against Ms. Sloan involving a violation of law or regulation or any term or condition of this Order; or

d. Ms. Sloan has successfully completed the above-referenced period of participation in the HPIP. However, upon receipt of Ms. Sloan's participation in and compliance with the HPIP, the Board, at its discretion, may waive Ms. Sloan's appearance before the Board and conduct an administrative review of this matter.

3. Ms. Sloan 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 COMMITTEE
Gloria D. Mitchell
for Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director, Virginia Board of Nursing

ENTERED: *August 30, 2007*

NOTICE OF RIGHT TO FORMAL HEARING

If you do not consent to the Committee’s decision and desire a hearing before the Board or a panel thereof, you shall notify, in writing, the Executive Director of the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, within 33 days of the date of entry of this Order. This Order shall become final upon expiration of the 33-day period unless a request for a formal hearing is received within such time. Upon receiving a timely request for a hearing, this Order shall be vacated and the Board or a panel thereof shall proceed with a hearing as provided in § 2.2-4020 *et seq.* of the Code.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Order was mailed, by certified and regular mail, this day to Carlotta Sloan, R.N., at Route 2, Box 234, Clinchport, Virginia 24244.

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

August 30, 2007
Date