

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: JASON CATALAN, R.N.
License Number: 0001-258385
Case Number: 177909

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. Jason Catalan, R.N., was not present nor was he 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 Mr. Catalan's health records or health services.

Pursuant to Virginia Code § 54.1-2400(10), Mr. Catalan may, not later than 5:00 p.m., on August 30, 2017, notify Jay P. Douglas, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that he desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

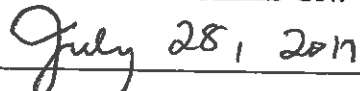
Certified True Copy

By 
Virginia Board Of Nursing

FOR THE BOARD


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

ENTERED AND MAILED ON:


July 28, 2017

This Order shall become final on August 30, 2017, unless a request for a formal administrative hearing is received as described above.

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: JASON CATALAN, R.N.
License Number: 0001-258385
Case Number: 177909

REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Allison Gregory, M.S., R.N., F.N.P.-B.C., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on June 5, 2017 in Henrico County, Virginia, to inquire into evidence that Jason Catalan, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Mr. Catalan appeared 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 8, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Mr. Catalan notifying him that an informal conference would be held on June 5, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

Recommended Findings of Fact and Conclusions of Law

1. Jason Catalan, R.N., was issued License Number 0001-258385 to practice professional nursing on June 2, 2015, which is scheduled to expire on March 31, 2018. At all times relevant to the findings herein, said license was in full force and effect. He also holds License No. RN9326745 to practice professional nursing in the State of Florida, which expired on April 30, 2017. His primary state of residence is Virginia.

2. Jason Catalan, R.N., violated Virginia Code § 54.1-3007(2), (5), and (6) and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing (currently found at 18 VAC 90-19-230(A)(2)(c), effective February 24, 2017) in that during the course of his employment with CJW Medical Center, Chippenham Campus, Richmond, Virginia, on several occasions including October 22, 2016, by his own admission, he diverted fentanyl (C-II) for his personal and unauthorized use by squeezing fentanyl solution into a plastic cup from IV bags that had been hung for patients. In addition, by his own admission, he diverted other narcotics, including Percocet (oxycodone, C-II), from amounts that were to be wasted. Although he stated that he resigned during the hospital's investigation of this matter, the hospital reported that his employment was terminated.

3. At the informal conference, Mr. Catalan stated that he suffered from gout and had been taking narcotic pain medication since he was approximately 18 years old. He stated that he had always taken it as prescribed until approximately two years ago, when he started using it recreationally and then abusing it. This led to his diversion from the hospital. In the summer of 2016, his physician refused to prescribe any more narcotics, and he started diverting even more.

4. Mr. Catalan stated that he never had a problem with drugs or alcohol in the past. He last used narcotics in March 2017, as prescribed by his dentist following the removal of his wisdom teeth. He stated that he does consider himself to be an addict. He currently takes only over-the-counter medication for pain.

5. Mr. Catalan has been employed with Hospice of Virginia since January 2017. This employer is not aware of his reason for leaving CJW or of this matter before the Board. His current position involves marketing to patients and eligibility reviews. He stated that he does not provide direct care, but he occasionally is on call and visits patients in their homes. He has access to narcotics when there is a patient death and he is required to waste the patient's remaining medication, with a witness.

6. Mr. Catalan presented as remorseful at the informal conference. He stated that he had just started seeing a substance abuse counselor.

7. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Mr. Catalan'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. The Board shall TAKE NO ACTION at this time, contingent upon Mr. Catalan's compliance with the following terms and conditions:
 - a. Jason Catalan, R.N., shall enter into the Virginia Health Practitioners' Monitoring Program ("HPMP") and shall provide to the Board proof of entry into a Contract with the HPMP within 60 days of the date this Order is entered. Thereafter, Mr. Catalan shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.
 - b. Jason Catalan, R.N., shall comply with all laws and regulations governing the practice of nursing in the Commonwealth of Virginia.
 - c. This Order is applicable to Mr. Catalan's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Mr. Catalan shall 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 he seeks to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.
2. Upon receipt of evidence of Mr. Catalan's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Mr. Catalan's appearance

before the Board and conduct an administrative review of this matter, at which time he may be issued an unrestricted license.

3. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of nursing shall constitute grounds for further disciplinary action.

Reviewed and approved on June 16, 2017
By Allison Gregory, M.S., R.N., F.N.P.-B.C.
Agency Subordinate

Certified True Copy

By 
Virginia Board Of Nursing