

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: ANDREA KRISTIN SCALF, L.P.N. REINSTATEMENT APPLICANT
a.k.a. Andrea Kristin Meister
a.k.a. Andrea K. Vernon
a.k.a. Andrea Scalf Lynch
License Number: 0002-057447
Case Number: 174655

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on May 18, 2017, in Henrico County, Virginia, to receive and act upon Andrea Kristin Scalf’s application for reinstatement of her license to practice practical nursing in the Commonwealth of Virginia and to inquire into evidence that Ms. Scalf may have violated certain laws and regulations governing the practice of practical nursing in the Commonwealth of Virginia.

Andrea Kristin Scalf did not appear at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated April 25, 2017, the Board sent a Notice of Formal Hearing (“Notice”) to Ms. Scalf notifying her that a formal administrative hearing would be held on May 18, 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, the Notice sent by certified mail was available for pickup on April 28, 2017 and then delivered on May 8, 2017. The Notice sent by first class mail was not returned to the Board office. Accordingly, the panel Chair concluded that adequate notice was provided to Ms. Scalf and the formal hearing proceeded in her absence.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT

1. On February 19, 1999, the Board issued License Number 0002-057447 to Andrea Kristin Scalf to practice practical nursing in the Commonwealth of Virginia. Said license was suspended by Order of the Board dated October 6, 2010 based upon findings of impairment.
2. Ms. Scalf submitted an application for reinstatement of her license to practice practical nursing in the Commonwealth of Virginia on July 5, 2016.
3. Prescription Monitoring Program (“PMP”) reports for the period from October 2010 through September 2016 reflect that Ms. Scalf filled 184 prescriptions for controlled substances, from 35 different providers, and 8 different pharmacies.
4. Ms. Scalf exhibited drug seeking behavior, as evidenced by the following:
 - a. On January 13, 2015, Ms. Scalf was treated for a headache at Harrisonburg Medical Associates, Inc., Harrisonburg, Virginia, where she requested narcotic pain medications. The doctor declined to prescribe her controlled substances and noted that in the past Ms. Scalf had used the emergency room every other day for migraines.
 - b. On March 23, 2013, following treatment at the emergency room at RMH Healthcare, Harrisonburg, Virginia, for a headache, Ms. Scalf requested a prescription for Fioricet to take home but was denied. The doctor noted that Ms. Scalf repeatedly requested narcotics to take home with her upon discharge.
 - c. On November 3, 2012, Ms. Scalf reported to the emergency room at Shenandoah Memorial Hospital, Woodstock, Virginia, and misrepresented to a nurse that the

emergency room doctor had contacted her primary care physician who advised that she was to receive narcotics. The doctor noted that he suspected drug seeking behavior.

d. On November 6, 2012, Ms. Scalf reported to the emergency room at RMH Healthcare for migraines. Ms. Scalf told the doctor that Dilaudid worked really great, and was administered Dilaudid. However, the doctor denied her request for additional narcotics upon discharge. Ms. Scalf was told she could obtain them if necessary from either her family doctor or neurologist if appropriate. The doctor stated that Ms. Scalf had a routine where she sought narcotics for an exposed nerve in her tooth. He has told her twice that the emergency room was not the appropriate place to handle this matter.

5. Between September 2014 and October 2014, Ms. Scalf had opioid/pain management contracts during the same time period with two providers, Sentara RMH Medical Group, Harrisonburg, Virginia, for treatment of lumbar degenerative disk disease, and Valley Health Rehabilitation Services, Woodstock, Virginia, for chronic pain management. Neither provider was aware that Ms. Scalf was receiving prescription pain medications from the other.

a. On September 24, 2014, Ms. Scalf's doctor with Sentara RMH Medical Group indicated that he suspected she was diverting Percocet (oxycodone/acetaminophen, C-II). Ms. Scalf's opioid contract required her to bring all of her prescriptions to each appointment. The doctor asked Ms. Scalf to produce her Percocet prescription. Ms. Scalf stated that she had left it in the car. She returned with a bottle which had "Percocet" handwritten on it. The medication inside was in fact gabapentin. Ms. Scalf was dismissed from this practice.

b. On October 23, 2014, Ms. Scalf was dismissed from her opioid contract with Valley Health Rehabilitation Services, Woodstock, Virginia, when it was discovered that she had

obtained Percocet on two occasions from her doctor with Sentara RMH Medical Group, who stated he was unaware of Ms. Scalf's concurrent opioid contract with Valley Health Rehabilitation Services.

CONCLUSIONS OF LAW

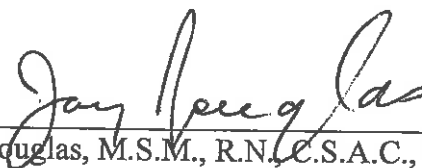
1. Findings of Fact Nos. 3 through 5(b) constitute a violation of Virginia Code § 54.1-3007(6).
2. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Scalf's health records or health services.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS that the application of Andrea Kristin Scalf, L.P.N., for reinstatement of her license to practice practical nursing is DENIED. Further, it is ORDERED that the license be CONTINUED on INDEFINITE SUSPENSION for a period of not less than two years. Should she petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether Ms. Scalf is able to return to the safe and competent practice of practical nursing. Ms. Scalf 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.

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



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

ENTERED AND MAILED ON:

May 31st, 2017

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 Douglas, M.S.M., R.N., C.S.A.C., F.R.E., 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.

Certified True Copy

By 
Virginia Board Of Nursing