

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: TARA J. HARKINS, L.P.N.  
a/k/a Tara Steppe  
License Number: 0002-070528  
Case Number: 175011

RATIFICATION AND ORDER

On May 17, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Tara J. Harkins, L.P.N., was present and was not 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(10), Ms. Harkins may, not later than 5:00 p.m., on June 28, 2017, notify Jay P. Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she 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.

FOR THE BOARD

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

Executive Director  
Virginia Board of Nursing

Certified True Copy

By   
Virginia Board Of Nursing

ENTERED AND MAILED ON:

May 26, 2017

This Order shall become final on June 28, 2017, unless a request for a formal administrative hearing is received as described above.

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**a/k/a Tara Steppe**  
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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 February 16, 2017 in Henrico County, Virginia, to inquire into evidence that Tara J. Harkins, L.P.N., may have violated certain laws and regulations governing the practice of practical nursing in the Commonwealth of Virginia.

Ms. Harkins 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 January 23, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Harkins notifying her that an informal conference would be held on February 16, 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. Tara J. Harkins, L.P.N., was issued License Number 0002-070528 to practice practical nursing on January 4, 2005, which is scheduled to expire on April 30, 2018. At all times relevant to the findings herein, said license was in full force and effect. Her primary state of residence is Virginia.

2. Ms. Harkins violated Virginia Code § 54.1-3007(2), (5), (6) and (8) and 18 VAC 90-20-300(A)(2)(c), (e), and (f) of the Regulations Governing the Practice of Nursing (“Regulations”) (currently found at 18 VAC 90-19-230(A)(2)(c), (e), and (f), effective February 24, 2017), in that:

a. During the course of her employment with Charlottesville Pointe, Charlottesville, Virginia, on or about July 14, 2016, she diverted oxycodone (C-II) for her own personal and unauthorized use, as evidenced by the following:

i. Ms. Harkins documented the administration of 15 mg oxycodone (C-II) to Patient A at midnight on July 14, 2016. Patient A, who was alert and oriented, reported to another nurse that he did not receive his 15mg dose of oxycodone.

ii. Pursuant to Charlottesville Pointe’s facility investigation into this incident, Ms. Harkins submitted to a reasonable suspicion urine drug screen on July 15, 2016, which was negative. Ms. Harkins later admitted that she submitted her 13 year old son’s urine for the urine drug screen.

b. Ms. Harkins admitted to an investigator for the Department of Health Professions that while working for Charlottesville Health and Rehabilitation, Charlottesville, Virginia, between December 29, 2014 and May 2, 2016, she diverted controlled substances. She stated that she did so by either removing an opioid for a patient who did not need it or request it and keeping it for herself, by keeping wastes of narcotics, or by keeping medications for patients that had been discharged.

3. Ms. Harkins violated Virginia Code § 54.1-3007(6) in that she has been diagnosed on several occasions by ARS Pantops Clinic (“ARS”) with opiate dependence. Her most recent diagnosis of opiate dependence was on November 4, 2016. Ms. Harkins’ admission history, on May 3, 2016, indicates that she has a 12-year history of abuse which started with tramadol and progressed to

oxycodone (C-II), Percocet (oxycodone/acetaminophen C-II), and Dilaudid (hydromorphone, C-II). She reported use every couple of hours and using 60 or more pills per day. Urine drug screens performed randomly by the facility were positive for oxycodone until July 2016, and positive for benzodiazepines as recently as October 19, 2016.

4. During the informal conference, Ms. Harkins demeanor was tearful and rambling. She also had difficulty staying on point.

5. Ms. Harkins stated that she began treatment with ARS, which is a methadone clinic, in April of 2016. She considers herself to be sober since July of 2016, but does not know the exact date.

6. Ms. Harkins said that she has always been addicted to “something” and has bought her drugs on the street. The only medication she is currently on is methadone. She sees her ARS counselor once per month, but does not attend AA or NA. Ms. Harkins indicated that although she has been diagnosed with depression and anxiety, she is not receiving treatment. She is currently a nursing student at South University. Ms. Harkins expressed a willingness to enter into the Health Practitioners’ Monitoring Program (“HPMP”).

#### **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 license of Tara J. Harkins, L.P.N., to practice practical nursing is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended.
3. This suspension applies to any multistate privilege to practice practical nursing.
4. Should Tara J. Harkins, L.P.N., seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms.

Harkins to demonstrate that she is safe and competent to return to the practice of practical nursing. Ms. Harkins 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.

5. The suspension shall be STAYED upon proof of Ms. Harkins's entry into a Contract with the Virginia Health Practitioners' Monitoring Program ("HPMP").

6. Upon stay of the suspension, Tara J. Harkins, L.P.N., shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.

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

8. This Order is applicable to Ms. Harkins's multistate licensure privileges, if any, to practice practical nursing. For the duration of this Order, Ms. Harkins 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 she seeks to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.


9. Failure to comply with the terms and conditions of the stay of suspension shall result in the immediate rescission of the stay of suspension of the license of Tara J. Harkins, L.P.N., and the license shall be recorded as suspended. After any rescission of the stay of suspension, Ms. Harkins may, within 33 days of the effective date of the rescission, request a formal administrative hearing before the Board.

10. Tara J. Harkins, L.P.N., shall comply with all laws and regulations governing the practice of practical nursing in the Commonwealth of Virginia.

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

Reviewed and approved on April 13, 2017  
By Jane Elliott, R.N., Ph. D.  
Agency Subordinate

Certified True Copy

By   
Virginia Board Of Nursing