

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: TAMMY VERLENE PEARSON SEKERAK, R.N.
License Number: 0001-185024
Case Number: 176650

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Nursing ("Board") and Tammy Verlene Pearson Sekerak, R.N., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Ms. Sekerak's license to practice professional nursing in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Tammy Verlene Pearson Sekerak, R.N., was issued License Number 0001-185024 to practice professional nursing on May 14, 2003, which is scheduled to expire on February 28, 2019. Her primary state of residence is Virginia.

2. Ms. Sekerak violated Virginia Code § 54.1-3007(5) and (6) in that she is unsafe to practice professional nursing due to mental illness and/or substance abuse/chemical dependency, as evidenced by the following:

a. During the course of her employment with the Sentara Virginia Beach General Hospital, Virginia Beach, Virginia, on September 17, 2016, Ms. Sekerak reported for her shift impaired after taking Percocet (oxycodone/acetaminophen, C-II), Valium (diazepam, C-IV), Dilaudid (hydromorphone, C-II), fentanyl (C-II), and Ativan (lorazepam, C-IV). She was observed by hospital staff to have slurred and slow speech, a drowsy appearance with difficulty keeping her eyes open, pinpoint pupils, and bumping into walls with an unsteady gate. Ms. Sekerak submitted to a for-cause drug screen which was positive for benzodiazepines, oxycodone, Dilaudid, and fentanyl.

- b. On November 4, 2016, Ms. Sekerak was diagnosed by her counselor at New Method Wellness treatment center ("New Method Wellness"), San Juan Capistrano, California, with alcohol use disorder, major depressive disorder, recurrent generalized anxiety disorder, pain disorder with related psychological factors, and eating disorder, unspecified.
- c. On January 30, 2017, Ms. Sekerak signed a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") in which she acknowledged that her alcohol and/or opioid abuse may impair her ability to practice professional nursing.
4. On October 7, 2016, Ms. Sekerak's employment with Sentara Virginia Beach General Hospital was terminated as a result of being impaired while working, the positive for cause-drug screen, and suspected drug diversion. Ms. Sekerak self-reported to the Board on that date, but denied diverting medications from the hospital.
5. At the request of an investigator for the Department of Health Professions, Ms. Sekerak submitted to urine drug screens on October 26, 2016 and January 26, 2017, which were both negative.
6. On October 26, 2016, Ms. Sekerak told an investigator for the Department of Health Professions that she would seek treatment for depression because she recently had suicidal ideations. On January 26, 2017, Ms. Sekerak told the investigator that she had an appointment with a psychiatrist scheduled for February 22, 2017.
7. During a bio-psychosocial assessment, on November 4, 2016, at New Method Wellness, Ms. Sekerak indicated that in the past year she had consumed 4 to 5 alcoholic beverages and used opioids daily. She indicated that her alcohol sobriety date was October 26, 2016 and her opioid sobriety date was October 15, 2016.
8. On January 5, 2017, Ms. Sekerak successfully completed a two-month intensive residential substance abuse program at New Method Wellness treatment center.

9. In an interview with the investigator for the Department of Health Professions on January 26, 2017, Ms. Sekerak stated that she is attending AA twice per week.

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

CONSENT

Tammy Verlene Pearson Sekerak, R.N., by affixing her signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;
4. I waive my right to an informal conference;
5. I admit to the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my licensure to practice professional nursing in the Commonwealth of Virginia.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

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

b. Tammy Verlene Pearson Sekerak, R.N., shall continue to comply with all terms and conditions of her Contract with the Virginia Health Practitioners' Monitoring Program ("HPMP") for the period specified in the Contract.

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

d. This Order is applicable to Ms. Sekerak's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Sekerak 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.

e. Tammy Verlene Pearson Sekerak, R.N., shall comply with all laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

2. Failure to comply with the terms and conditions of this Order shall constitute grounds for an administrative proceeding before the Board.

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

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

ENTERED: May 23RD 2017

SEEN AND AGREED TO:

Tammy Verlene Pearson Sekerak, R.N.
Tammy Verlene Pearson Sekerak, R.N.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Virginia Beach, TO WIT:

Subscribed and sworn to me, a notary public in and for the Commonwealth of Virginia at large, on this
13 day of May, 2017

Crystal L. Wood
Notary Public

My commission expires:

5/31/2019

Registration No.:

7663967

CRYSTAL LYNN WOOD
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES MAY 31, 2019
COMMISSION # 7663967

Certified True Copy

By [Signature]
Virginia Board of Nursing