

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: TRACI COLLEY, R.N., L.N.P.
License No.: 0024-165103

ORDER

In accordance with §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Committee of the Joint Boards of Nursing and Medicine ("Committee of the Joint Boards") on September 25, 2013, in Henrico County, Virginia. Traci Colley, R.N., L.N.P., was present and was represented by Courtney Williams, Esquire. Janet Younger, Ph.D., R.N., P.N.P., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On November 19, 2013, a quorum of the Committee of the Joint Boards met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Colley was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Committee of the Joint Boards makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Traci Colley, R.N., L.N.P., was issued License No. 0001-133168 to practice professional nursing in Virginia on July 22, 1993. The license is scheduled to expire on June 30, 2015. She was issued License No. 0024-165103 to practice as a nurse practitioner in the area of certified registered nurse anesthetist in Virginia on February 20, 2002. Said license is scheduled to expire on June 30, 2015.
2. By letter dated August 30, 2013, the Board of Nursing sent a Notice of Informal

Conference (“Notice”) to Ms. Colley notifying her that an informal conference would be held on September 25, 2013. The Notice was sent by certified and first class mail to 121 Presidential Boulevard, Virginia Beach, Virginia 23452, the address of record on file with the Board of Nursing.

3. During the course of her employment as a nurse anesthetist with Chesapeake Regional Medical Center, Chesapeake, Virginia (“CRMC”), on March 11, 2013, Ms. Colley reported for her shift in an impaired state. She was stumbling and staggering, she smelled of alcohol, and she had slurred speech and pinpoint pupils. Ms. Colley acknowledged that she drank alcohol and ingested Celexa and Ativan prior to reporting to work.

4. Ms. Colley’s employment with CRMC was terminated as a result of this incident.

5. Ms. Colley signed a Participation Contract with the Health Practitioners’ Monitoring Program (“HPMP”) on March 28, 2013, in which she acknowledged a history of substance abuse and psychiatric illness. She signed her latest Recovery Monitoring Contract on June 19, 2013.

6. After entering the HPMP, Ms. Colley completed a 75-day inpatient treatment at the Farley Center. Upon her discharge, she entered an intensive women’s outpatient treatment program and individual therapy. She is prescribed Lexapro and Naltrexone. Her treatment providers indicated that Ms. Colley is in compliance with all treatment requirements. Ms. Colley attends three AA meetings per week and two Caduceus meetings per month. According to her HPMP case manager, she is compliant with the program.

7. Ms. Colley stated that her date of sobriety is March 14, 2013. She is not currently employed.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(5) and (6) of the Code.
2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

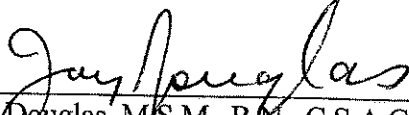
WHEREFORE, it is hereby ORDERED as follows:

1. The Committee of the Joint Boards of Nursing and Medicine shall TAKE NO ACTION contingent on Ms. Colley's continued compliance with the HPMP for the period specified by the HPMP.
2. Ms. Colley shall maintain a course of conduct in her capacity as a nurse practitioner commensurate with the requirements of §§ 54.1-2900 *et seq.* and 54.1-3000 *et seq.* of the Code, the Regulations Governing the Practice of Nursing, and the Regulations Governing the Licensure of Nurse Practitioners.
3. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Colley, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Colley shall be noticed to appear before the Committee of the Joint Boards at such time as the Committee is notified that:
 - a. She is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
 - b. There is a pending investigation or unresolved allegation against her involving a violation of law or regulation or any term or condition of this Order; or
 - c. She has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of evidence of Ms. Colley's participation in and compliance with the HPMP, the Committee of the Joint Boards, at its discretion, may waive Ms. Colley's appearance before the Committee and conduct an administrative review of this matter.

Pursuant to § 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 a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Colley may, not later than 5:00 p.m., on January 13, 2014, notify Jay P. 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, in writing that she desires a formal administrative hearing before the Committee of the Joint Boards. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE OF THE JOINT BOARDS:




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

ENTERED: December 10th, 2013

This Order shall become final on January 13, 2014 unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 

Virginia Board of Nursing