

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: ELLEN MARIE FISCHER, R.N.
License Number: 0001-204625
Case Number: 176864

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Ellen Marie Fischer, R.N., was issued License Number 0001-204625 to practice professional nursing on November 15, 2006, which is scheduled to expire on October 31, 2017. For any additional licenses. Her primary state of residence is Virginia.

2. Ms. Fischer violated Virginia Code § 54.1-3007(2) and (5) and 18 VAC 90-20-300(A)(2)(a) and (e) of the Regulations Governing the Practice of Nursing (currently found at 18 VAC 90-19-230(A)(2)(a) and (e), effective February 24, 2017) in that on September 7, 2016, she submitted a blood sample and an order for a basic metabolic panel test for a family member to the Lewis Gale Hospital Alleghany lab, when the family member's physician had not actually ordered the test.

CONSENT

Ellen Marie Fischer, 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. Ellen Marie Fischer, R.N., is REPRIMANDED.
2. Within 60 days from the date of entry of this Order, Ellen Marie Fischer, R.N., shall provide written proof satisfactory to the Board of successful completion of the following NCSBN course: *Professional Accountability & Legal Liability for Nurses*. Continuing education obtained through compliance with this term shall not be used toward licensure renewal.
3. Ellen Marie Fischer, R.N., shall comply with all laws and regulations governing the practice of nursing in the Commonwealth of Virginia.
4. 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.

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: April 13TH, 2017

SEEN AND AGREED TO:

Ellen Fischer, RN

Ellen Marie Fischer, R.N.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Allegheny, TO WIT:

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

Dixie A Howard

Notary Public

My commission expires: 9/30/18

Registration No.: 7291115

Certified True Copy

By *[Signature]*
Virginia Board of Nursing