

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: TRACI COLLEY, R.N.
License No.: 0001-133168**

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 Board of Nursing ("Board") on September 25, 2013, in Henrico County, Virginia. Traci Colley, R.N., 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 Board 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 Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Traci Colley, R.N., 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 also holds a license to practice as a nurse practitioner in Virginia. Her primary state of residence is Virginia. She previously held licenses to practice professional nursing in Florida, Colorado, Texas, and New York, all of which have expired.

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:

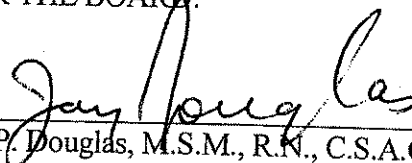
1. The Board shall TAKE NO ACTION contingent on Ms. Colley's continued compliance with the HPMP for the period specified by the HPMP.
2. This Order is applicable to Ms. Colley's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Colley shall 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 wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.
3. Ms. Colley shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.
4. 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 Board at such time as the Board 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 Board, at its discretion, may waive Ms. Colley's appearance before the Board 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 Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD:

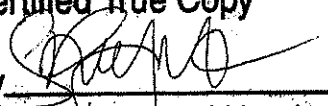


Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

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