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VA BD OF NURSING

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: MELANIE FIELDS, R.N.
License No.: 0001-223776**

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Melanie Fields, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Fields' license to practice professional nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Melanie Fields, R.N., was issued License No. 0001-223776 to practice professional nursing by the Virginia Board of Nursing on March 24, 2010. Said license is set to expire on April 30, 2014. Her primary state of residence is Virginia.
2. During the course of her employment with Riverside Regional Medical Center, Newport News, Virginia, on November 16, 2011, Ms. Fields reported to her shift, and co-workers observed her exhibiting slurred speech, an unsteady gait and being drowsy. Ms. Fields submitted to a urine drug screen that was positive for morphine (Schedule II), codeine (Schedule II), and heroin (Schedule I) for which she did not have a current prescription.
3. During the facility investigation into the above incident, on November 29, 2011, Ms. Fields was questioned regarding the positive drug screen. Ms. Fields appeared to be impaired and admitted to a long history of addiction to heroin, morphine, alcohol, and oxycodone (Schedule II). Ms. Fields stated she obtained the heroin and the morphine off the street.

4. The facility reviewed Ms. Fields' Pyxis activity for the previous 60 days and did not find evidence of diversion. Riverside Regional Medical Center terminated Ms. Fields' employment as a result of the positive urine drug screen.

5. Since February 2013, Ms. Fields has been treated at the Hampton-Newport News Community Services Board, Hampton, Virginia, where she was diagnosed with polysubstance abuse, in remission, anxiety, depressive disorder, not otherwise specified, and posttraumatic stress disorder.

6. Ms. Fields entered the Health Practitioners' Monitoring Program ("HPMP") by signing a Participation Contract on December 12, 2011, and she signed a Recovery Monitoring Contract on January 23, 2012. She was granted a stay of disciplinary action based on her participation in the HPMP. From January to April 2013, Ms. Fields failed to submit monthly reports to HPMP. From December 2012 to April 2013, Ms. Fields failed to submit her missing treatment reports. As a result, on May 16, 2013, HPMP placed Ms. Fields on pre-dismissal status and gave her a deadline of May 28, 2013, to submit all of her late reports, and the stay of disciplinary action was vacated. Ms. Fields complied with the deadline.

CONCLUSIONS OF LAW

Findings of Fact Nos. 2, 3, and 5 constitute a violation of § 54.1-3007(6) of the Code of Virginia (1950), as amended ("Code").

CONSENT

Melanie Fields, R.N., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;

3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;

4. She waives all such right to an informal conference;

5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;

6. She consents to the entry of the following Order affecting her right to practice professional nursing in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. The Board shall TAKE NO ACTION at this time contingent on Ms. Fields' continued compliance with the HPMP for the period specified by the HPMP.

2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Fields, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Fields 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. Fields' participation in and compliance with the HPMP,

the Board, at its discretion, may waive her appearance before the Board and conduct an administrative review of this matter.

3. This Order is applicable to Ms. Fields' multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Fields 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.

4. Ms. Fields 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.

Pursuant to §§ 2.2-4023 and 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 public record and shall be made available for public inspection or copying upon request.

FOR THE BOARD:



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

ENTERED: January 3, 2014

SEEN AND AGREED TO:

Melanie Fields, R.N.
Melanie Fields, R.N.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Newport News, TO WIT:

Subscribed and sworn to before me, Carolyn Ann Helstrom, a Notary Public, this 30 day of Dec, 2013

My commission expires 01-31-2017.

Registration Number 314378.

Carolyn Ann Helstrom
NOTARY PUBLIC

