

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: TIFFANY YVETTE CURRY, R.N.
License Number: 0001-249448
Case Number: 173157, 163632

RATIFICATION AND ORDER


On January 25, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Tiffany Yvette Curry, R.N., was not present nor was she represented by legal counsel.

In consideration whereof, the Board of Nursing ACCEPTS the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and ADOPTS the Recommended Order in its entirety.

Pursuant to Virginia Code § 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.

Pursuant to Virginia Code § 54.1-2400(10), Ms. Curry may, not later than 5:00 p.m., on **March 7, 2017**, 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.

Certified True Copy
By 
Virginia Board Of Nursing

FOR THE BOARD

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

ENTERED AND MAILED ON:
February 2nd, 2017

This Order shall become final on March 7, 2017, unless a request for a formal administrative hearing is received as described above.

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IN RE: TIFFANY YVETTE CURRY, R.N.
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REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Judith Piersall, R.N., B.S.N., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on October 18, 2016 in Henrico County, Virginia, to inquire into evidence that Tiffany Yvette Curry, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Ms. Curry appeared at this proceeding and was not represented by legal counsel.

Upon consideration of the evidence, the Agency Subordinate makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

Notice

By letter dated September 21, 2016, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Curry notifying her that an informal conference would be held on October 18, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

Recommended Findings of Fact and Conclusions of Law

1. Tiffany Yvette Curry, R.N., was issued License Number 0001-249448 to practice professional nursing on February 3, 2014, which is scheduled to expire on January 31, 2018. At all times relevant to the findings herein, said license was in full force and effect. Her primary state of residence is Virginia.

2. Ms. Curry violated Virginia Code § 54.1-3007(2), (5), and (6) and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing (“Regulations”) in that during the course of her employment with Regency Health and Rehabilitation Center, on or about March 30, 2015, by her own admission, Ms. Curry diverted Norco 5/325 (C-II; hydrocodone/acetaminophen) for her personal and unauthorized use.

3. Ms. Curry’s employment with Regency Health and Rehabilitation Center was terminated.

4. Ms. Curry violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice professional nursing due to substance abuse, as evidenced by the following:

a. On May 15, 2015, Ms. Curry signed a Participation Contract with the Health Practitioners’ Monitoring Program (“HPMP”), in which she acknowledged she may suffer from the disease of alcoholism and/or chemical dependency that impairs her ability to practice her health profession safely, as evidenced by her Norco abuse.

b. On March 16, 2016, Ms. Curry ingested a hydrocodone tablet for which she did not have a prescription, and on March 17, 2016, she consumed alcohol, both of which violated the terms and conditions of her HPMP contract.

5. Ms. Curry’s stay of disciplinary action related to conduct in Finding of Fact #2, which she had been granted pursuant to her enrollment in HPMP, was vacated on March 25, 2016.

6. Ms. Curry stated at the informal conference that she has been sober since mid-July 2016 and currently sees a psychotherapist weekly. She is currently enrolled in HPMP but is on pre-dismissal status for a positive alcohol test in July 2016. Ms. Curry stated that she intends to comply with HPMP’s requirements but stated that she does not believe she has a substance abuse problem.

7. Ms. Curry is currently employed in a non-clinical nursing setting, which has been approved by HPMP. This position requires an active nursing license. Ms. Curry is reported as doing well and having no complaints against her at this employment.

Recommended Order

Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Board issue an Order as follows:

1. The license of Tiffany Yvette Curry, R.N., to practice professional nursing is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended.
3. This suspension applies to any multistate privilege to practice professional nursing.
3. The suspension is STAYED and shall remain stayed contingent upon Tiffany Yvette Curry, R.N.,’s continued compliance with all terms and conditions of the Virginia Health Practitioners’ Monitoring Program (“HPMP”) for the period specified by the HPMP.
4. Upon receipt of evidence of Tiffany Yvette Curry, R.N.,’s participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Tiffany Yvette Curry, R.N.,’s appearance before the Board and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.
5. This Order is applicable to Tiffany Yvette Curry, R.N.,’s multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Tiffany Yvette Curry, R.N., 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.

6. Tiffany Yvette Curry, R.N., shall comply with all laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

7. Failure to comply with the terms and conditions of the stay of suspension shall be reason for summarily rescinding the stay of suspension of the license of Tiffany Yvette Curry, R.N., and the license shall be recorded as suspended. After any rescission of the stay of suspension, a formal administrative proceeding shall be instituted.

Reviewed and approved on November 28, 2016
By Judith Piersall, R.N., B.S.N.
Agency Subordinate