

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

AMY K. MOCK, R.N.

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 April 22, 2010, in Henrico County, Virginia. Amy K. Mock, R.N., was present and was represented by Nicholas Balland, Esquire. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On July 21, 2010, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Mock 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. Amy K. Mock, R.N., was issued License No. 0001-174833 to practice professional nursing in Virginia on July 31, 2001. The license is set to expire on November 30, 2011.
2. By letter dated February 12, 2010, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Mock notifying her that an informal conference would be held on March 8, 2010. The Notice was sent by certified and first class mail to 5401 Willcoxon Tavern Court, Fairfax, Virginia 22032, the address of record on file with the Board of Nursing. By letter dated February 19, 2010, Ms. Mock requested a continuance. By letter dated February 26, 2010, the Board notified Ms. Mock that her request was granted and that the informal conference would be held on April 22, 2010.
3. Between February and June, 2006, Ms. Mock diverted Percocet (oxycodone) and Dilaudid

(hydromorphone, both Schedule II) from Mary Washington Hospital. On July 25, 2006, Ms. Mock entered a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") (*formerly the Health Practitioners' Intervention Program*). Pursuant to an Order of the Board entered March 12, 2009, ("Board's Order"), the Board took no action against Ms. Mock contingent upon her continued compliance with all terms and conditions of the HPMP.

4. On August 21, 2009, Ms. Mock was dismissed from the HPMP for noncompliance due to the following:

a. On July 23, 2009, Ms. Mock failed to submit to a urine toxicology screen.

b. During May and June, 2009, Ms. Mock failed to take naltrexone three times a week and/or submit documentation that the administration was witnessed. Ms. Mock stated that she took a total of five doses during May and June, 2009, instead of the expected 24 doses.

c. Ms. Mock failed to complete the outpatient rehabilitation/treatment program at Recovery Center of Richmond and/or submit documentation of attendance. Ms. Mock stated that she completed the program; however, she failed to have the appropriate forms completed to document her attendance.

5. During the course of her employment with INOVA Comprehensive Addiction Treatment Services, Falls Church, Virginia, on December 15 and 18, 2009, Ms. Mock diverted Midrin (isometheptene/APAP/dichloralphenazone, Schedule IV) and Suboxone (buprenorphine/naloxone, Schedule III) for her personal and unauthorized use. The diversion was accomplished by entering the Omnicell dispenser and entering patient names/identifiers to remove medication. As a result of these incidents, her employment was terminated on December 22, 2009.

6. At the informal conference, Ms. Mock denied that she diverted the Suboxone. She stated that she failed to administer two tablets as ordered and it was a medication error; however, she

admitted that she did not complete a medication error report form. At the informal conference Ms. Mock admitted to diversion of Midrin.

7. Ms. Mock is currently in individual counseling with Marcella Marcey, Ph.D. She has been seeing her for six weeks as of the date of the informal conference. Ms. Mock submitted a letter from Dr. Marcey confirming that she was in counseling; however, Dr. Marcey failed to provide a diagnosis, prognosis or recommended course of therapy. Ms. Mock stated that she has also seen a psychiatrist; however, he declined to submit a report. Ms. Mock reported that she is receiving treatment from a neurologist, but he is not aware of her substance abuse history nor is he aware that she is in counseling. When asked for her date of sobriety, Ms. Mock gave inconsistent dates. Ms. Mock stated that she has not worked since December, 2009, and that she is willing to be monitored.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code and Term No. 1 of the Board's Order.
2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(2), (5) and (6) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. License No. 0001-174833 of Amy K. Mock, R.N., is INDEFINITELY SUSPENDED for a period of not less than two years.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Mock shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Mock shall be responsible for any fees that may

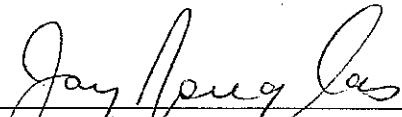
be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.

4. This suspension applies to any multistate privilege to practice professional nursing.

This Order is subject to appeal to the Board. If Ms. Mock desires a formal administrative hearing before the Board pursuant to §§ 2.2-4020 and 2.2-4021 of the Code, she must notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, in writing, within thirty-three (33) days from the date of service of this Order. Upon the filing of a request for the hearing with the Executive Director, this Order shall be vacated.

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.

FOR THE BOARD



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

Entered: July 28th, 2010

Certified True Copy
By 
Virginia Board of Nursing