

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: AMY MOCK, R.N. REINSTATEMENT APPLICANT
License No.: 0001-174833

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on June 3, 2013, in Henrico County, Virginia, to receive and act upon Amy Mock’s application for reinstatement of her license to practice professional nursing in Virginia, and to inquire into evidence that Ms. Mock may have violated certain laws and regulations governing nursing practice. Ms. Mock was present and was not represented by counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Amy Mock, R.N. was issued License No. 0001-174833 to practice professional nursing in the Commonwealth of Virginia on July 31, 2001. Said license was suspended by Order of the Board entered on July 28, 2010, as a result of her failure to comply with the terms of a previous Board Order entered March 12, 2009, and her diversion of medication from her employer.

2. By letter dated May 7, 2013, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Mock notifying her that an informal conference would be held on June 3, 2013. The Notice was sent by certified and first class mail to 5401 Wilcoxon Tavern Court, Fairfax, Virginia 22032, the address of record on file with the Board of Nursing.

3. Ms. Mock submitted an application for reinstatement of her license to practice professional nursing which was received by the Board on January 8, 2013. Ms. Mock declared her primary state of residence as Virginia.

4. On July 27, 2012, Ms. Mock was convicted of petit larceny in the Fairfax County, Virginia General District Court.

5. On February 8, 2013, Ms. Mock was convicted of petit larceny in the Fairfax County General District Court.

6. On her application for reinstatement of her license to practice professional nursing:

a. Ms. Mock answered “NO” to the question “Have you ever been convicted, pled guilty to or pled Nolo Contendere to the violation of any federal, state, or other statute or ordinance constituting a felony or misdemeanor?” when, in fact, she has been convicted of two misdemeanor counts of petit larceny as evidenced above.

b. Ms. Mock answered “NO” to the question “Do you have a mental, physical, or chemical dependency which could interfere with your current ability to practice nursing?” when, in fact, her license to practice professional nursing was suspended due to her non-compliance with the Health Practitioners’ Monitoring Program and her admitted substance abuse.

7. Ms. Mock was asked by the investigator for the Department of Health Professions why she did not disclose her February 2013 conviction during their first interview. Ms. Mock responded that she hoped that it would not come up. Although the Committee pressed Ms. Mock for details related to her convictions, her responses were evasive.

8. Ms. Mock stated that she did not notify her current treating counselor or psychiatrist about her convictions. She acknowledged that doing so may have assisted her in dealing with her embarrassment related to the convictions.

10. Ms. Mock provided evidence that she was treated at Inova Emergency Care Center, Fairfax, Virginia, on April 28, 2012, and September 2, 2012, for treatment of kidney stones. Each time, Ms. Mock was prescribed Percocet (C-IV), which she identifies as her drug of choice. Ms. Mock admitted to the Committee that she failed to notify her treating physicians of her history of substance abuse.

11. Although Ms. Mock contends that her date of sobriety was June 2006, she failed to acknowledge taking Ultracet (C-IV) that she obtained from a co-worker on September 10, 2008, which resulted in a positive urine drug screen. Ms. Mock stated that she did not ask what type of pill she was taking, but was told by her co-worker that it was like taking a strong Advil.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 4 and 5 constitute a violation of § 54.1-3007(4) of the Code.
2. Findings of Fact Nos. 6(a) and (b) constitute a violation of § 54.1-3007(1) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing.
3. The Board concludes that Ms. Mock has not demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner.

ORDER


On the basis of the foregoing, the Committee hereby ORDERS that the application of Amy Mock for reinstatement of her license to practice professional nursing in the Commonwealth is DENIED.

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 on request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Mock may, not later than 5:00 p.m., on **July 29, 2013**, notify Jay P. Douglas, 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 COMMITTEE:


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

ENTERED: June 24, 2013

This Order shall become final on **July 29, 2013**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 
Virginia Board of Nursing