

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: CORINA R. STEWARD, L.P.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 February 18, 2009, in Henrico County, Virginia. Corina R. Steward, L.P.N., was not present nor was she represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On March 18, 2009, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Steward 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. Corina R. Steward, L.P.N., was issued License No. 0002-054689 to practice practical nursing in Virginia on June 4, 1997. The license expired on February 28, 2009.
2. By letter dated January 13, 2009, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Steward notifying her that an informal conference would be held on February 18, 2009. The Notice was sent by certified and first class mail to 105 Cavalier Court, Locust Grove, Virginia 22508, the address of record on file with the Board of Nursing. The certified mail receipt was signed and returned to the Board on January 26, 2009. The Agency Subordinate concluded that Ms. Steward received adequate notice and the informal conference proceeded in her absence.

3. During the course of her employment with MediCorp Health System, Mary Washington Hospital, Fredericksburg, Virginia, Ms. Steward was impaired while on duty. She was observed to have the smell of alcohol on her breath, was loud and exhibited slurred speech. Subsequently, a blood alcohol test was administered and revealed an alcohol level of 0.188.

4. Ms. Steward is unable to safely practice nursing due to alcohol abuse. On August 14, 2008, during an interview with the Department of Health Professions investigator, Ms. Steward stated that she is an alcoholic. Ms. Steward signed a Participation Contract with the Health Practitioners' Intervention Program ("HPIP") on July 29, 2008. On February 4, 2009, the HPIP reported that Ms. Steward entered a residential treatment program from September 24, 2008, to November 24, 2008, and that she relapsed with alcohol during treatment. On February 17, 2009, the HPIP reported that Ms. Steward tested positive for alcohol on February 4, 2009. She has been placed on warning status and recommendations for residential treatment are forthcoming.

5. The HPIP has been unable to contact Ms. Steward by telephone and a letter has been mailed to her requiring that she contact their office by February 27, 2009, or her case will be presented to the Intervention Program Committee for dismissal. The HPIP reported that Ms. Steward remains employed by Mary Washington Hospital and they have notified the Employee Assistance Program and Ms. Steward's intensive outpatient treatment provider about the positive alcohol screen.

CONCLUSIONS OF LAW

1. Finding of Fact #3 constitutes a violation of § 54.1-3007(5) and (6) of the Code.
2. Finding of Fact #4 constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. The right of Corina R. Steward, L.P.N., to renew License No. 0002-121297 is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Steward 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 practical nursing. Ms. Steward 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 practical nursing.
5. This suspension shall be STAYED upon Ms. Steward's entering into the Health Practitioners' Intervention Program ("HPIP") and after not less than six months' compliance with a Recovery Monitoring Contract. At such time, the indefinite suspension shall be STAYED and the following terms and conditions shall apply:
 - a. Ms. Steward shall comply with all terms and conditions for the period specified by the HPIP.
 - b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Corina R. Steward, L.P.N., and an administrative proceeding shall be held to determine whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:
 - i. Ms. Steward is not in compliance with the terms and conditions specified by the HPIP;

ii. Ms. Steward's participation in the HPIP has been terminated;

iii. There is a pending investigation or unresolved allegation against her involving a violation of law, regulation, or any term or condition of this order.

6. This Order is applicable to Ms. Steward's multistate licensure privileges, if any, to practice practical nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Steward 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.

7. Ms. Steward shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

Since Ms. Steward failed to appear at the informal conference, this Order shall be considered final. Ms. Steward has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Steward has thirty (30) days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

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

Entered: April 8th, 2009

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed this day to Corina R. Steward, L.P.N., at 105 Cavalier Court, Locust Grove, Virginia 22508.

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

April 8th, 2009
DATE

Certified True Copy

By A. Graham
Virginia Board of Nursing