

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

**MARIA ANN HRYHORENKO, R.N.
License No.: 0001-244265**

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 March 31, 2015, in Henrico County, Virginia. Ms. Hryhorenko was present and was not represented by legal counsel. Jane Elliott, serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On May 20, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Hryhorenko 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. Maria Ann Hryhorenko, R.N., was issued License No. 0001-244265 to practice professional nursing in Virginia on May 14, 2013. The license is scheduled to expire on September 30, 2016. Ms. Hryhorenko's primary state of residence is Virginia.
2. By letter dated February 9, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Hryhorenko notifying her that an informal conference would be held on March 31, 2015. The Notice was sent by certified and first class mail to 45 Clay Avenue, Rochester, New York 14613, the address of record on file with the Board of Nursing. The Notice was also sent to 315 Rockbridge Road, Portsmouth, Virginia 23707, a secondary address.
3. By her own admission, during the course of her employment with Chesapeake Regional

Medical Center, Chesapeake, Virginia, from September 2014 through October 2014, Ms. Hryhorenko diverted narcotic medications including Dilaudid (hydromorphone, C-II), Percocet (oxycodone/acetaminophen, C-II), and morphine (C-II) for her personal and unauthorized use on several occasions. Ms. Hryhorenko accomplished this diversion by double pulling narcotic medications, administering the patient's dose, and then diverting the remainder.

4. As a result of her admitted diversion, Ms. Hryhorenko's employment with Chesapeake Regional Medical Center was terminated on October 13, 2014.

5. In a letter to the Board of Nursing dated November 23, 2014, Ms. Hryhorenko admitted that she had diverted medications because of her addiction.

6. At the informal conference, Ms. Hryhorenko admitted she had been drug seeking in late summer of 2014 when she went to Patient First multiple times complaining of hip pain.

7. On January 6, 2015, Ms. Hryhorenko enrolled in the Health Practitioners' Monitoring Program. Ms. Hryhorenko signed a Recovery Monitoring Contract on February 9, 2015. Ms. Hryhorenko began intensive outpatient treatment with a therapist on January 22, 2015. At the informal conference, Ms. Hryhorenko said she attends NA meetings daily, speaks to her sponsor daily, and attends Caduceus meetings twice a month. Ms. Hryhorenko attends group counseling sessions twice a week and individual counseling sessions at least once a month.

8. At the informal conference, Ms. Hryhorenko stated that her date of sobriety was February 19, 2015. Immediately beforehand, Ms. Hryhorenko had a relapse and took four Vicodin (hydrocodone/acetaminophen, C-II) tablets at once. The HPMP discovered Ms. Hryhorenko's relapse through a hair sample drug test.

9. Ms. Hryhorenko stated her only current medication prescription is for Effexor, which she takes to treat a generalized anxiety disorder. She said that she wants to continue to practice nursing, but she wants to wait until she and the HPMP feel she is ready to return to practice. Ms. Hryhorenko also said

she would like to practice in a setting where she would not have access to narcotics at first, like a doctor's office.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), and (6) of the Code and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing.
2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. The Board shall TAKE NO ACTION contingent on Ms. Hryhorenko's continued compliance with the Health Practitioners' Monitoring Program ("HPMP") pursuant to Chapter 25.1 of Title 54.1 of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPMP.
2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Hryhorenko, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Hryhorenko shall be noticed to appear before the Board at such time as the Board is notified that:
 - a. Ms. Hryhorenko 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 Ms. Hryhorenko involving a violation of law or regulation or any term or condition of this Order; or
 - c. Ms. Hryhorenko has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Hryhorenko's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Hryhorenko's appearance before the Board and conduct an administrative review of this matter.
3. This Order is applicable to Ms. Hryhorenko's multistate licensure privileges, if any, to


practice professional nursing. For the duration of this Order, Ms. Hryhorenko 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 Ms. Hryhorenko wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

4. Ms. Hryhorenko 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 § 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.

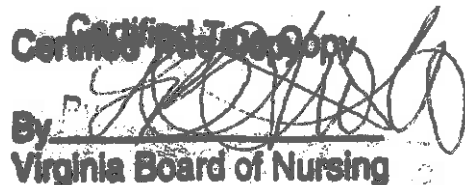

Pursuant to Section 54.1-2400(10) of the Code, Ms. Hryhorenko may, not later than 5:00 p.m., on **July 13, 2015**, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD:

JPD

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

ENTERED: June 10, 2015

This Order shall become final on **July 13, 2015**, unless a request for a formal administrative hearing is received as described above.


Certified True Copy
By: 
Virginia Board of Nursing