

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: MARY WAYNE MCGHEE, R.N.  
License Number: 0001-151338  
Case Number: 177762

RATIFICATION AND ORDER

On July 19, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Mary Wayne McGhee, 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.

Since Ms. McGhee failed to appear at the informal conference, this Order shall be considered final. Ms. McGhee 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. McGhee has thirty 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, 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 days are added to that period.

FOR THE BOARD

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

ENTERED AND MAILED ON:

*July 28, 2017*

Certified True Copy

By *Stacy D*  
Virginia Board Of Nursing

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**IN RE:       MARY WAYNE MCGHEE, R.N.**  
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**REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE**

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**Jurisdiction and Procedural History**

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Allison Gregory, M.S., R.N., F.N.P.-B.C., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on June 5, 2017 in Henrico County, Virginia, to inquire into evidence that Mary Wayne McGhee, R.N., may have violated certain laws and regulations governing the practice of nursing in the Commonwealth of Virginia.

Ms. McGhee did not appear 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 May 8, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. McGhee notifying her that an informal conference would be held on June 5, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. The Notice sent by certified mail was returned to the Board office unclaimed. The Notice sent by first class mail was not returned to the Board office. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Ms. McGhee and the informal conference proceeded in her absence.

**Recommended Findings of Fact and Conclusions of Law**

1. Mary Wayne McGhee, R.N., was issued License Number 0001-151338 to practice professional nursing on November 13, 1996, which expired on September 30, 2016. At all times relevant to the findings herein, said license was in full force and effect. Her primary state of residence is Virginia.

2. By Consent Order of the Board entered August 17, 2016 (“Board’s Order”), Ms. McGhee was placed on probation under certain terms and conditions for one year of active professional nursing practice. This action was based on findings that Ms. McGhee had diverted a client’s Ritalin (methylphenidate, C-II) and the associated medication records while employed at Rainbow Station, Glen Allen, Virginia.

3. Ms. McGhee violated Term Numbers 2(c), 2(e), 2(f), 2(i), and 2(j) of the Board’s Order, which required her to submit proof of completion of three NCSBN courses, submit to monthly drug screens, submit quarterly self-reports, return all copies of her license to the Board, and sign medical releases and other forms authorizing the release of information, in that to date, she has failed to complete any of the required terms. Further, she has failed to respond to contact attempts by the Board’s Compliance Case Manager.

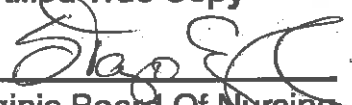
### **Recommended Order**

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

1. Mary Wayne McGhee, R.N., is **REPRIMANDED**.
2. The right of Mary Wayne McGhee, R.N., to renew her license to practice professional nursing in the Commonwealth of Virginia is **INDEFINITELY SUSPENDED**.
3. The license of Mary Wayne McGhee, R.N., will be recorded as **SUSPENDED**.
4. This suspension applies to any multistate privilege to practice professional nursing.

5. Should Mary Wayne McGhee, R.N., seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. McGhee to demonstrate that she is safe and competent to return to the practice of nursing. Ms. McGhee shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.

Reviewed and approved on June 16, 2017  
By Allison Gregory, M.S., R.N., F.N.P.-B.C.  
Agency Subordinate

Certified True Copy  
By   
Virginia Board Of Nursing