

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: **Rebecca Adams Collins, R.N.**
License Number: **0001-086403**
Expiration Date: **May 31, 2017**
Case Number: **169493**

**NOTICE OF INFORMAL CONFERENCE BEFORE AN AGENCY SUBORDINATE
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that an informal conference has been scheduled before an Agency Subordinate of the Board of Nursing ("Board") regarding your license to practice professional nursing in the Commonwealth of Virginia.

TYPE OF PROCEEDING:	This is an informal conference before an Agency Subordinate of the Board of Nursing.
DATE AND TIME:	May 26, 2016 at 1:00 p.m.
PLACE:	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd Floor - Virginia Conference Center Henrico, Virginia 23233

LEGAL AUTHORITY AND JURISDICTION:

1. This informal conference is being held pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. After consideration of all information, the Agency Subordinate is authorized to take any of the following actions:

- If the Agency Subordinate finds that there is insufficient evidence to warrant further action or that the charges are without foundation, notify you by mail that your record has been cleared of any charge which might affect your right to practice professional nursing in the Commonwealth;

- Recommend findings of fact, conclusions of law and a sanction, to include a reprimand, placing you on probation with terms, suspension or revocation of your license, or imposing a monetary penalty pursuant to § 54.1-2401 of the Code.

Further, the Agency Subordinate may refer this matter for a formal administrative proceeding pursuant to Virginia Code § 2.2-4020.

Board's Review of Agency Subordinate's Recommended Decision

If you **appear in person or by counsel at the informal conference**, the recommendation of the Agency Subordinate will be presented to a quorum of the Board. The Board may accept or modify the recommendation, or reject the recommendation and refer the case to a formal hearing. If you do not agree with the decision of the Board, you have the right to a formal administrative hearing before the Board.

If you **fail to appear in person or by counsel at the informal conference**, the recommendation of the Agency Subordinate will be presented to a quorum of the Board. The Board may accept or modify the recommendation, or reject the recommendation and refer the case to a formal hearing. The Board's decision regarding the agency subordinate's recommendation is a final order that can only be appealed to circuit court as provided by Rule 2A:2 of the Supreme Court of Virginia.

DEFAULT:

If you fail to appear at the informal conference, the Agency Subordinate may proceed to hear this matter in your absence and may take any of the actions outlined above.

RESPONDENT'S LEGAL RIGHTS:

You have the right to the information on which the Agency Subordinate will rely in making a decision, to be represented by counsel at this proceeding, to subpoena witnesses and/or documents, and to present relevant evidence on your behalf.

COMMONWEALTH'S EXHIBIT:

Enclosed is a copy of the documents that will be considered by the Agency Subordinate when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

FILING DEADLINES:

1. Deadline for filing exhibits: May 19, 2016. Submit five copies of all documents you want the Board to consider to Sylvia Tamayo-Suijk, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.
2. Deadline for filing motions, including requests for continuance or objections to exhibits, in writing, to Sylvia Tamayo-Suijk at the above address: May 19, 2016. NOTE: the failure to object to exhibits does not deprive you of the right to contest their contents at the proceeding.

STATEMENT OF ALLEGATIONS

The Board of Nursing alleges that:

1. At all times relevant hereto, Rebecca Adams Collins, R.N. was licensed to practice professional nursing in the Commonwealth of Virginia.

2. Ms. Collins violated Virginia Code § 54.1-3007(2), (5) and (6) and 18 VAC 90-20-300(A)(2)(c), (e) and (f) of the Regulations Governing the Practice of Nursing (“Regulations”) in that during the course of her employment with Heritage Hall, Wise, Virginia, she diverted benzodiazepine and narcotic medications for her personal and unauthorized use, as evidenced by the following:

a. On or about August 21, 2015, Ms. Collins documented on Resident A’s Individual Narcotic Record that she administered lorazepam 0.5 mg (Ativan, C-IV) at 16:15, 18:20 and 20:00, when Resident A was only to receive the medication twice per day, and had received her morning dosage at 08:45. A for-cause drug screen was administered to Ms. Collins and was positive for benzodiazepines and oxazepam (C-IV).

b. On or about August 10, 2015, Ms. Collins documented that she administered Lortab 10/325 mg (hydrocodone, C-II) to Resident B at 17:30, but failed to document the administration on the resident’s Electronic Medication Administration Record (“EMAR”). On or about August 13, 2015, at 14:00, August 15, 2015, at 14:10 and August 16, 2015, at 14:50, she signed the EMAR that she administered Lortab to Resident B, at times when she was not clocked in at the facility.

c. On multiple occasions between on or about August 6, 2015, and August 20, 2015, Ms. Collins documented administering lorazepam to Resident C, but failed to document the behaviors exhibited by the resident to require administration of the medication. Further, on or about

August 6, 2015, at 20:00, August 10, 2015, at 18:00, and August 15, 2015, at 16:00, Ms. Collins documented administering lorazepam to Resident C but failed to document the EMAR.

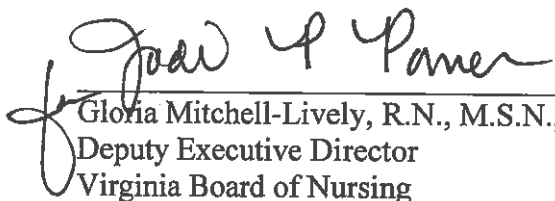
d. On or about August 6, 2015, at 20:00, and August 15, 2015, at 20:00 Ms. Collins documented administering Norco to Resident C, but failed to document the administration on the resident's EMAR. Further, on or about August 12, 2015, Ms. Collins documented administering Norco at 19:30 and 20:00, but signed the EMAR as administering the medication at 19:23.

e. On or about August 19, 2015, Ms. Collins documented that she administered to Resident D two diazepam 5 mg (C-IV) at 20:00. The resident's order was for one tablet of diazepam to be administered at bedtime.

f. On multiple occasions between on or about August 1, 2015, and August 20, 2015, Ms. Collins documented that she administered oxycodone 15 mg (C-II) to Resident E, but failed to document the administration on the resident's EMAR.

3. Ms. Collins violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice as a professional nurse due to substance abuse. On or about January 23, 2015, Ms. Collins' treating physician dismissed her from the practice for testing positive for narcotics the physician did not prescribe, and testing negative for controlled medications that she had prescribed.

See Confidential Attachment I for the names of the residents referenced above.


Gladys Mitchell-Lively, R.N., M.S.N., M.B.A.
Deputy Executive Director
Virginia Board of Nursing

May 3, 2016
Date