

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: JAMIE LOVE, R.N.
License No.: 0001-224337

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 November 4, 2014 in Henrico County, Virginia. Ms. Love was present and was not represented by legal counsel. Judith Piersall, serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 28, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Love 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. Jamie Love, R.N., was issued License No. 0001-224337 to practice as a professional nurse in Virginia on May 24, 2010. Said license is set to expire on April 30, 2015. Ms. Love's primary state of residence is Virginia.

2. By letter dated October 14, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Love notifying her that an informal conference would be held on November 4, 2014. The Notice was sent by certified and first class mail to 8404 Burnside Drive, Mechanicsville, Virginia, 23116, the address of record on file with the Board of Nursing.

3. During the course of her employment with Bon Secours – St. Mary's Hospital,

Richmond, Virginia, Ms. Love diverted narcotic pain medications and falsified patient records, as evidenced by the following:

a. Results of a pharmacy audit for the dates of April 20, 2014 through May 20, 2014, indicated Ms. Love was above the mean for numerous controlled substances, mostly Schedule II pain medications. At the informal conference Ms. Love indicated she believed this was because she is very aware of her patients' pain.

b. In May 2014 Ms. Love failed to assess and document pain levels on her patients who were prescribed narcotic medications before administering their medication(s). In addition, Ms. Love documented administration of pain medications on the medication administration record before removing the medications from Pyxis.

4. A urine drug screen (UDS) was administered to Ms. Love on May 22, 2014. The results of the UDS indicated positive for Oxcodex and oxycodone.

5. By her own admission, Ms. Love recently used marijuana and took Ativan or Xanax tablets that were given to her by a friend. At the informal conference Ms. Love indicated she has been clean and sober since May 22, 2014.

6. On June 2, 2014 Ms. Love entered into treatment with New Life Journey, Inc., Mechanicsville, Virginia. New Life Journey indicated that Ms. Love met the criteria for long lasting social anxiety disorder as well as adjustment disorder with mixed emotions and behaviors. Ms. Love attends therapy once a week. Ms. Love is prescribed topamax and kepra for epilepsy and she feels that she has suffered from anxiety since she was young.

7. On June 16, 2014 Ms. Love signed a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP"). In that contract she indicated that she may suffer from the disease of alcoholism and/or chemical dependence that impairs her ability to practice nursing as

evidenced by her “Oxycodone abuse.” On July 14, 2014 Ms. Love signed a recovery monitoring contract with the HPMP and as of November 3, 2014, Ms. Love is in compliance with the HPMP. Ms. Love indicated she has drug screens two to four times a month and attends Caduceus twice a week.

8. As of October 1, 2014, the HPMP has approved Ms. Love to return to practice; she is currently seeking employment.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing.
2. Findings of Fact Nos. 4, 5, 6 and 7 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 upon Ms. Love’s continued compliance with the HPMP for the period specified by the HPMP.
2. Ms. Love 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.
3. This Order is applicable to Ms. Love’s multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Love 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. Love wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.
4. Any violation of the terms and conditions stated in this Order shall be reason for

revoking the license of Ms. Love and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Love shall be noticed to appear before the Board at such time as the Board is notified that:

- a. Ms. Love 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. Love involving a violation of law or regulation or any term or condition of this Order; or
- c. Ms. Love has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Love's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Love's appearance before the Board and conduct an administrative review of this matter.

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. Love may, not later than 5:00 p.m., on **March 25, 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 he/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:

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

ENTERED: February 20, 2015

This Order shall become final on **March 25, 2015**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By Y Robinson-Howard
Virginia Board of Nursing