

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: AUSTIN H. DEMENTI, R.N.
 License No.: 0001-189958**

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on April 15, 2014, in Henrico County, Virginia, to inquire into evidence that Austin H. Dementi, R.N., may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Dementi was present and was represented by Pamela J. Branch, Esquire.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Austin H. Dementi, R.N., was issued License No. 0001-189958 to practice as a professional nurse in the Commonwealth of Virginia on May 7, 2004. Said license expires on February 29, 2016. Her primary state of residence is Virginia.
2. By letter dated March 25, 2014, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Dementi notifying her that an informal conference would be held on April 15, 2014. The Notice was sent by certified and first class mail to 3330 Medway Lane, Powhatan, Virginia 23139, the address of record on file with the Board of Nursing.
3. On October 14, 2013, during the course of her employment with Bon Secours Memorial Regional Medical Center, Mechanicsville, Virginia, Ms. Dementi submitted to a for-cause urine drug screen, which was positive for opiates, for which she did not have a valid prescription.

4. At the informal conference, Ms. Dementi stated that she tested positive on the urine drug screen because she took a friend's pain medication when she was sick with pleurisy.
5. Ms. Dementi's employment with Bon Secours Memorial Regional Medical Center was terminated following the positive drug screen. Ms. Dementi had worked at the facility for over nine years prior to her employment termination.
6. Two former co-workers from Bon Secours Memorial Regional Medical Center accompanied Ms. Dementi to the formal hearing. They provided positive remarks regarding Ms. Dementi's nursing practice and indicated that she exhibited no signs of impairment.
7. Ms. Dementi stated that her support system includes her husband, family, friends, and work group. She also provided several positive letters of support.
8. Ms. Dementi reported that she is currently working as an independent contractor, providing fitness instruction at various facilities. She indicated that she has no current plans to return to nursing practice.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(5) of the Code.

ORDER

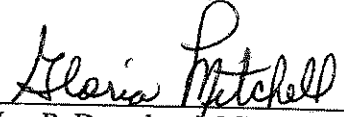
On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. Austin H. Dementi, R.N., is hereby REPRIMANDED.
2. Ms. Dementi 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 §§ 2.2-4023 and 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 public record and shall be made available for public inspection or copying on request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Dementi may, not later than 5:00 p.m., on **June 22, 2014**, 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 COMMITTEE:


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

ENTERED: May 20, 2014

This Order shall become final on June 22, 2014, unless a request for a formal administrative hearing is received as described above.