

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       AMANDA MARSHALL, R.N.  
              License No.: 0001-174830**

**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 February 10, 2015, in Henrico County, Virginia, to receive and act upon the evaluation of Amanda Marshall, R.N., as required in the Order of the Board entered on August 26, 2014. Ms. Marshall was present and was represented by Margaret Hardy, Esquire.

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

**FINDINGS OF FACT**

1. Amanda Marshall was issued License No. 0001-174830 to practice professional nursing in the Commonwealth of Virginia on October 25, 2001. Said license expires on May 31, 2016. Ms. Marshall’s primary state of residence is Virginia.
2. By letter dated January 13, 2015, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Marshall notifying her that an informal conference would be held on February 10, 2015. The Notice was sent by certified and first class mail to 4809 Celtic Circle, Salem, Virginia, 24153, the address of record on file with the Board of Nursing.
3. On August 26, 2014, the Board entered an Order reprimanding Ms. Marshall and ordering her to undergo an evaluation by a mental health/chemical dependency specialist satisfactory to the Board and to have a written report of the evaluation within 120 days of the entry of that Order.

4. On November 17, 2014, the Board received a written evaluation of Ms. Marshall from a licensed clinical social worker/certified substance abuse counselor that he had conducted on November 14, 2014.

5. The counselor stated in the report that he found “no evidence to lead [him] to a substance abuse diagnosis.” He further wrote that “[a]ll scores on assessment instruments were well within normal limits.” He wrote that he did not see anything that would lead him to believe she was in anyway impaired to function as a registered nurse. He stated he would “not recommend any counseling or treatment at this time.”

6. Ms. Marshall has been employed as an infusion nurse with Express Scripts since November 2014 and works approximately 10 to 20 per hours per week. She stated she received a positive evaluation from her supervisor in January. She stated that she is better suited for a lower-stress nursing environment as opposed to the fast-paced nature of a critical care unit.

7. Ms. Marshall is currently under the care of a physician to treat a bulging disk and herniated disk and is pursuing non-narcotic interventions to manage her condition.

8. The Committee found no evidence to conclude that Ms. Marshall is unable to safely practice professional nursing.

#### **CONCLUSION OF LAW**

This matter is properly before the Board.

#### **ORDER**

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

1. The Committee shall TAKE NO FURTHER ACTION.
2. Ms. Marshall 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. Marshall may, not later than 5:00 p.m., on **April 6, 2015**, notify Jay P. Douglas, 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:

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

ENTERED: *March 4, 2015*

This Order shall become final on **April 6, 2015**, unless a request for a formal administrative hearing is received as described above.

**Certified True Copy**

By *U. Robinson-Howard*  
**Virginia Board of Nursing**