

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: FURDOUS MAHDI ELTAHIR, R.N.
License Number: 0001-257133
Case Number: 168870

AMENDED ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), a Special Conference Committee of the Virginia Board of Nursing (“Board”) held an informal conference on June 2, 2016, in Henrico County, Virginia, to inquire into evidence that Furdous M. Eltahir, R.N., may have violated certain laws governing the practice of professional nursing in the Commonwealth of Virginia.

Furdous Mahdi Eltahir, R.N. appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated May 4, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Eltahir notifying her that an informal conference would be held on June 2, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Furdous Mahdi Eltahir, R.N. was issued License Number 0001-257133 to practice professional nursing on March 5, 2015, which is scheduled to expire on December 31, 2017. At all

times relevant to the allegations contained herein, said license was in full force and effect. Her primary state of residence is Virginia.

2. Ms. Eltahir violated Virginia Code § 54.1-3007(6) in that on July 19, 2015, she was admitted to Retreat Hospital, Richmond, Virginia, for a heroin overdose. She stated at the informal conference that she had used heroin on several occasions prior to the overdose to deal with emotional stressors in her life. Her overdose occurred after her first time using heroin intravenously.

3. Ms. Eltahir stated that she is currently attending therapy every two to three weeks. She is not taking any medication. She stated that since the overdose she has been forthcoming with her therapist about her drug use history. She stated that she inquired of her counselor whether she should attend Narcotics Anonymous meetings or see a psychiatrist, but he stated that she did not need those services at this time. She admitted that she used marijuana in college and occasionally drinks alcohol.

4. Ms. Eltahir is currently employed by Virginia Commonwealth University Hospital as a psychiatric nurse and was described as a solid employee and a good team member who exceeds expectations as a new nurse.

5. Ms. Eltahir stated at the informal conference that she is willing to do whatever is required of her to maintain her license.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. Ms. Eltahir is placed on PROBATION for not less than 12 months subject to the following terms and conditions:

a. The period of probation shall begin on the date this Order is entered and shall end at such time as Ms. Eltahir has completed 12 months of active practice in employment as a

professional nurse. The license of Ms. Eltahir shall be reinstated without restriction at the completion of the probationary period without an administrative proceeding unless there is a pending investigation or unresolved allegation involving a violation of law, regulation, or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a decision in accordance with the Administrative Process Act, Virginia Code § 2.2-4000 et seq. and Virginia Code § 54.1-2400(9) et seq.

b. Ms. Eltahir shall not use alcohol or any other mood altering chemical, except as prescribed by a health care practitioner with whom she has a bona fide practitioner/patient relationship and for accepted medicinal or therapeutic purposes. Should she be prescribed any Schedule II-V controlled medication, a written report from the prescribing practitioner shall be provided to the Board within ten days of the date the medication is prescribed.

c. Ms. Eltahir shall be required to have two supervised, unannounced random drug screens a quarter from a Board-approved testing entity, which includes testing for alcohol and the following drugs of choice: marijuana and heroin. The Board shall be notified immediately in writing if Ms. Eltahir refuses to give a specimen for analysis as required by this Order, or of any positive results. All positive results must be confirmed by a confirmatory drug test, the results of which are to be sent to the Board immediately.

d. Performance Evaluations shall be provided to the Board, at the direction of Ms. Eltahir, by all practice employer(s), using the forms provided by Compliance and available on the Board's website.

e. Ms. Eltahir shall return all copies of her license to practice as a professional nurse to the Board office within ten days of the date of entry of this Order, along with a payment of a duplicate

license fee as specified in the regulations governing nursing. Upon receipt the Board shall issue a replacement professional nursing license marked “Valid in Virginia Only; Probation with Terms.”

f. Written reports are required by this Order and, unless otherwise specified, shall be sent to Compliance at the Board offices with the first report(s) received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends. Many of the required report forms are available on the Board’s website for your convenience.

g. Ms. Eltahir shall inform the Board in writing within ten days of the date any practice employment begins, changes, is interrupted, or ends. Additionally, Ms. Eltahir shall provide a contact name, address, and phone number for each practice employer to the Board.

h. Ms. Eltahir shall inform all current and future practice employers that the Board has placed her on probation and Ms. Eltahir shall provide each practice employer with a complete copy of this Order. If Ms. Eltahir is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation. If Ms. Eltahir is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.

i. Ms. Eltahir shall provide all current and future treating practitioners with a complete copy of this Order and shall execute an *Authorization for Disclosure of Information* form providing for unrestricted communication between the Board, Compliance, and any treatment providers, court-appointed probation or parole officers, and/or any consultants designated by the Board, if applicable.

j. Ms. Eltahir shall submit “Self-Reports” which include a current address, telephone number, and verification of any and all current practice employment. These reports shall also include any changes in practice employment status. Self-Reports must be submitted whether Ms. Eltahir has current practice employment or not.


k. Ms. Eltahir shall conduct herself as a professional nurse in compliance with the requirements of Title 54.1, Chapter 30 of the Code of Virginia (1950), as amended, and the Board of Nursing Regulations.

l. Any violation of the stated terms and conditions contained in this Order, or failure to comply with all terms of this Order within five years of the date of entry of the Order, shall be reason for suspending or revoking the license of Ms. Eltahir, and an administrative proceeding may be held to determine whether her license shall be suspended or revoked.

m. This Order is applicable to Ms. Eltahir's multistate nursing licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Eltahir shall not practice outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the express written permission of both the Virginia Board of Nursing and the Board of Nursing in the party state where she wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

Pursuant to Virginia Code §§ 2.2-4023 and 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.

FOR THE BOARD


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

ENTERED AND MAILED: August 5th, 2016

NUNC PRO TUNC: July 12th, 2016

NOTICE OF RIGHT TO APPEAL

Pursuant to Virginia Code § 54.1-2400(10), Ms. Eltahir may, not later than 5:00 p.m., on August 14, 2016, 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. This Order shall become final on August 14, 2016, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By A. Fowler
Virginia Board of Nursing