

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: MEGHAN LEE MCCORMACK, R.N.
License Number: 0001-199050
Case Number: 171438

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on May 18, 2016, in Henrico County, Virginia, to inquire into evidence that Meghan L. McCormack, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Meghan Lee McCormack, R.N. appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated April 1, 2016, the Board of Nursing sent a Notice of Formal Hearing (“Notice”) to Ms. McCormack notifying her that a formal administrative hearing would be held on May 18, 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 Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT

1. On November 14, 2005, the Board of Nursing issued License Number 0001-199050 to Meghan Lee McCormack, R.N. to practice professional nursing in the Commonwealth of Virginia.

Said license was scheduled to expire on 10/31/2017. At all times relevant hereto, said license was in full force and effect. Her primary state of residence is Virginia.

2. Ms. McCormack's license to practice professional nursing was summarily suspended by Order of the Board dated April 1, 2016.

3. In July 2010, Ms. McCormack submitted an application for reinstatement of her Virginia license, which had expired on October 31, 2007.

4. On December 14, 2010, the Board entered a Consent Order approving Ms. McCormack's application for reinstatement of her Virginia license contingent upon her entry into Health Practitioners' Monitoring Program ("HPMP"). The basis for the Board's action stemmed from Ms. McCormack's history in New Jersey, where she held an active license to practice professional nursing at the time, a history that included her admitted addiction to illegal drugs.

5. On September 11, 2009, Ms. McCormack and the New Jersey Board of Nursing entered into a Consent Order placing her under terms and conditions including entry into and compliance with the Recovery and Monitoring Program of New Jersey ("RAMP"), submitting to random observed urine or hair testing as required by RAMP, abstaining from using any and all potentially addictive substances, except as prescribed by an authorized health care practitioner, and working only in settings approved by RAMP.

6. The New Jersey Board's action was based on Ms. McCormack's arrest for illicit drug-related activities and entry into the Union County (New Jersey) Pre-Trial Intervention Program. On July 19, 2010, upon completion of the Pre-Trial Intervention Program, her charges were dismissed. Ms. McCormack's license to practice professional nursing in New Jersey expired on May 31, 2014.

7. Ms. McCormack successfully completed HPMP and all terms and conditions on her license were terminated by Order of the Virginia Board dated April 14, 2015.

8. On December 9, 2015, Ms. McCormack reported for work at Bon Secours Maryview Medical Center, Portsmouth, Virginia. Before she began providing care, staff noted that she had a hard time keeping her eyes open, that she was slurring her words, and that she was trembling. Her appearance was disheveled and she was unable to focus.
9. Ms. McCormack was sent for a for-cause employment urine drug screen, which was positive for codeine (C-II), hydromorphone (C-II), and morphine (C-II), for which she did not have any prescriptions. Her employment with Bon Secours was terminated.
10. In her February 1, 2016, interview with the Department of Health Professions investigator, Ms. McCormack admitted to taking the codeine, hydromorphone, and morphine, which she had obtained from a friend. She further stated that if she gave a urine drug screen that day, it would be positive for those same medications for which she did not have a prescription. She further stated that she had stopped working any recovery programs.
11. At the hearing, Ms. McCormack admitted to being impaired when she went to work on December 9, 2015.
12. Ms. McCormack told the Board that she had surgery in March 2015 and then relapsed after receiving narcotic pain medication. She testified that her current sobriety date is April 1, 2016. She said that she was clean for five years because of the accountability she had in the Health Practitioners' Monitoring Program. She stated that she would be willing to reenter HPMP if that option was provided to her, and that she is taking her sobriety seriously.
13. Ms. McCormack testified that she is currently living in Oxford House, a sober living environment, is attending narcotics anonymous meetings, is being followed by a psychiatrist, and has a sponsor. She told the Board that her future goals are to take care of herself and to be a nurse again, and that she has accepted that she will always be an addict and that she will always have to go to meetings.

14. Ms. McCormack testified that she cannot work around narcotics or needles but desires to practice as a nurse in a different environment. She further stated that she is not currently prepared to return to practice without being monitored.

15. Ms. McCormack's sponsor testified on her behalf and stated that Ms. McCormack desires to continue nursing and stay clean.

CONCLUSIONS OF LAW

1. Finding of Fact Nos. constitute a violation of Virginia Code § 54.1-3007(5) and (6).

ORDER

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

1. The license of Meghan Lee McCormack to practice professional nursing is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. Should Meghan Lee McCormack seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Meghan Lee McCormack to demonstrate that she is safe and competent to return to the practice of professional nursing. Meghan Lee McCormack shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.
5. The suspension shall be STAYED upon proof of Meghan Lee McCormack's entry into a Contract with the Virginia Health Practitioners' Monitoring Program ("HPMP") within 12 days of the date of entry of this Order.

6. Upon stay of the suspension, Meghan Lee McCormack shall comply with all terms and conditions of the HPMP for the period specified by the HPMP

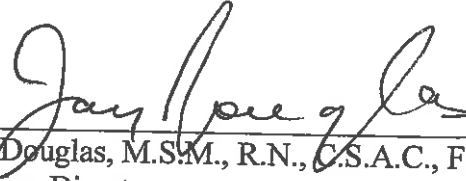
7. Upon receipt of evidence of Meghan Lee McCormack's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Meghan Lee McCormack's appearance before the Board and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

8. This Order is applicable to Meghan Lee McCormack's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Meghan Lee McCormack 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 she seeks to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

9. Failure to comply with the terms and conditions of the stay of suspension shall be reason for summarily rescinding the stay of suspension of the license of Meghan Lee McCormack, and the license shall be recorded as suspended. After any rescission of the stay of suspension, a formal administrative proceeding shall be instituted.

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



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

ENTERED AND MAILED ON:

June 29th, 2016

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with 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. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy

By *draham*
Virginia Board Of Nursing