

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: CYNTHIA ELLEN BALLENGER STURM, R.N.  
 A.K.A. Cynthia Ballenger; Cynde Ballenger; Cynde Sturm  
 License Number: 0001-226207  
 Case Number: 172320

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CONSENT ORDER

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JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Nursing ("Board") and Cynthia Ellen Ballenger Sturm, R.N., as evidenced by their signatures hereto, in lieu of proceeding to a formal administrative proceeding, enter into the following Consent Order affecting Ms. Sturm's license to practice professional nursing in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Cynthia Ellen Ballenger Sturm, R.N. was issued License Number 0001-226207 to practice professional nursing on July 22, 2010, which is scheduled to expire on June 30, 2017. Her primary state of residence is Virginia. Said license was summarily suspended by Order of the Board on June 3, 2016.

2. Ms. Sturm violated Virginia Code § 54.1-3007(5) and (6) in that on February 5, 2016, during the course of her employment with INOVA Fairfax Medical Center, Falls Church, Virginia, ("INOVA Fairfax"), she was observed to be lethargic, unable to articulate thoughts, exhibiting an unsteady gait and unable to stand or walk without assistance. In addition, Ms. Sturm was noted to have several open vials of Versed (midazolam C-IV), one unopened vial of fentanyl (C-II) and syringes in her jacket pocket. By her own admission, Ms. Sturm was unfit to care for her patients on the date of the occurrence. A drug test administered by Ms. Sturm's employer was positive for

fentanyl and midazolam. Ms. Sturm's employment was subsequently terminated on February 22, 2016.

3. Cynthia Ellen Ballenger Sturm, R.N., violated Virginia Code § 54.1-3007(2), (5) and (6) and 18VAC90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing in that, by her own admission, between December 2015 and February 2016, she diverted controlled substances including fentanyl and Versed from INOVA Fairfax for her own personal and unauthorized use.

4. Ms. Sturm has not contacted the Health Practitioners' Monitoring Program. Ms. Sturm does not receive substance abuse treatment nor does she attend any recovery support groups.

### CONSENT

Cynthia Ellen Ballenger Sturm, R.N., by affixing her signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.* and Virginia Code § 54.1-2408.1;
3. I acknowledge that I have the following rights, among others: the right to a formal administrative hearing before the Board; the right to representation by counsel; and the right to cross-examine witnesses against me;
4. I waive all rights to a formal hearing;
5. I admit to the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;

6. I consent to the entry of the following Order affecting my right to practice professional nursing in the Commonwealth of Virginia.

**ORDER**

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

1. The license issued to Cynthia Ellen Ballenger Sturm to practice professional nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
2. The license of Cynthia Ellen Ballenger Sturm will be recorded as SUSPENDED.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. Should Cynthia Ellen Ballenger Sturm seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Cynthia Ellen Ballenger Sturm to demonstrate that she is safe and competent to return to the practice of professional nursing.

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 Douglas*  
for Glenn Mitchell Jewell  
Jay Douglas, M.S.M., R.N., C.S.A.C., E.R.E.  
Executive Director  
Virginia Board of Nursing

ENTERED: June 28, 2016

SEEN AND AGREED TO:

  
Cynthia Ellen Ballenger Sturm, R.N.

COMMONWEALTH OF VIRGINIA  
COUNTY/CITY OF Prince William, TO WIT:

Subscribed and sworn to before me, the undersigned Notary Public, in and for the Commonwealth of Virginia, at large, this 16<sup>th</sup> day of June, 2016.

  
Notary Public



My commission expires: 01/31/2017  
Registration No.: 7564402