

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: CYNTHIA ELLEN BALLENGER STURM, R.N.
License Number: 0001-226207
Case Number: 172320

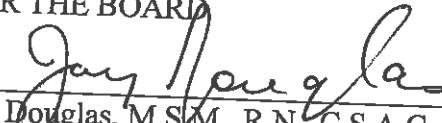
ORDER OF SUMMARY SUSPENSION

Pursuant to Virginia Code § 54.1-2408.1(A), a quorum of the Board of Nursing ("Board") met on May 17, 2016. The purpose of the meeting was to receive and act upon information indicating that Cynthia Ellen Ballenger Sturm, R.N., may have violated certain laws and regulations relating to the practice of professional nursing in the Commonwealth of Virginia, as more fully set forth in the attached Notice of Formal Administrative Hearing and Statement of Allegations, which is attached hereto and incorporated by reference herein.

WHEREUPON, pursuant to its authority under Virginia Code § 54.1-2408.1(A), the Board concludes that a substantial danger to public health or safety warrants this action and ORDERS that the license of Cynthia Ellen Ballenger Sturm, R.N. to practice professional nursing in the Commonwealth of Virginia is SUSPENDED. It is further ORDERED that a hearing be convened within a reasonable time of the date of entry of this Order to receive and act upon evidence in this matter.

Pursuant to Virginia Code § 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 or copying on request.

FOR THE BOARD



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

ENTERED AND MAILED ON: June 3, 2016 ^{RA}

Certified True Copy

By dyraham

Virginia Board Of Nursing

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**
Issue Date: **July 22, 2010**
Expiration Date: **June 30, 2017**
Case Number: **172320**

**NOTICE OF FORMAL ADMINISTRATIVE HEARING
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that a Formal Hearing has been scheduled before the Board of Nursing (“Board”) regarding your license to practice professional nursing in the Commonwealth of Virginia.

TYPE OF PROCEEDING:	This is a formal administrative hearing before a panel of the Board of Nursing.
DATE AND TIME:	July 20, 2016 10:00 A.M.
PLACE:	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd Floor - Virginia Conference Center Henrico, Virginia 23233

LEGAL AUTHORITY AND JURISDICTION:

1. This formal hearing is being held pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. At the conclusion of the proceeding, the Board is authorized to take any of the following actions:

- Exonerate you;
- Reprimand you;
- Require you to pay a monetary penalty;
- Place you on probation and/or under terms and conditions;
- Suspend your license;
- Revoke your license.

DEFAULT:

If you fail to appear at the formal hearing, the Board may proceed to hear this matter in your absence and may take any of the actions outlined above.

RESPONDENT'S LEGAL RIGHTS:

You have the right to the information on which the Board will rely in making its decision, to be represented by counsel at this proceeding, to subpoena witnesses and/or documents, and to present relevant evidence on your behalf.

COMMONWEALTH'S EXHIBIT:

Enclosed is a copy of the documents that will be distributed to the members of the Board and will be considered by the Board when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the formal hearing.**


FILING DEADLINES:

1. Deadline for filing exhibits: **June 17, 2016**. Submit 15 copies of all documents you want the Board to consider to Darlene Graham, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.
2. Deadline for filing motions, including motions for continuance or objections to exhibits, in writing, to Darlene Graham at the above address: **June 17, 2016**. NOTE: Failure to object to the distribution prior to the proceeding will not affect your right to contest any information contained in these documents at the proceeding.

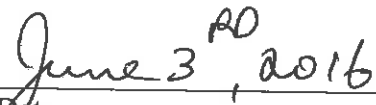
STATEMENT OF ALLEGATIONS

The Board of Nursing alleges that:

1. At all times relevant hereto, Cynthia Ellen Ballenger Sturm, R.N. was licensed to practice professional nursing in the Commonwealth of Virginia.
2. Cynthia Ellen Ballenger Sturm, R.N. 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.
3. Cynthia Ellen 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.



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



Date