

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: CHRISTINA GARCIA, R.N.
License No.: 0001-195893

AMENDED NOTICE OF HEARING

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Christian Garcia, R.N., who holds License No. 0001-195893 to practice professional nursing in Virginia which is set to expire on January 31, 2015, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on November 19, 2014, at 1:00 p.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Ms. Garcia will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Garcia has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. Garcia desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to receive and act upon Ms. Garcia’s petition for release from probation and to inquire into evidence that Ms. Garcia may have violated certain terms and conditions imposed on her as set forth in the Order of the Board entered on August 1, 2011, hereinafter, “Board’s Order”, and as more fully set forth in the Statement of Particulars below.

The burden of providing evidence that she is prepared to resume the competent practice of nursing with reasonable skill and safety to patients rests with Ms. Garcia.


STATEMENT OF PARTICULARS

The Board alleges that:

1. Christina Garcia, R.N. may have violated Term No. 2(b) of the Board's Order, which required her to inform the Board in writing within ten days of any change in her employment in that Ms. Garcia failed to notify the Board until November 2013 that she had stopped working at Prince George's Hospital, Cheverly, Maryland, in May, 2012 and that she had begun employment with York Hospital, York, Pennsylvania, in January, 2013.
2. Ms. Garcia may have violated Term No. 2(c) of the Board's Order, which required her to inform each nursing employer that the Board had placed her on probation and to provide each employer with a complete copy of the Board's Order, in that Ms. Garcia failed to inform York Hospital that the Board had placed her on probation or to provide her employer with a copy of the Board's Order.
3. Ms. Garcia may have violated Term No. 2(d) of the Board's Order, which required her to direct all nursing employers to submit quarterly performance evaluations, in that Ms. Garcia failed to have York Hospital submit any performance evaluations during the calendar year 2013.
4. Ms. Garcia may have violated Term No. 2(e) of the Board's Order, which required her to submit prescription reports within ten days of the date any Schedule II-V controlled substances were prescribed to her, in that Ms. Garcia failed to submit until January 17, 2012, a report for a prescription she received for Fioricet (Schedule III) on August 4, 2011.
5. Ms. Garcia may have violated Term No. 2(f) of the Board's Order, which required her to undergo two supervised, unannounced drug screens a month, in that Ms. Garcia only had one drug screen during the months of December 2011, April 2012, and July 2012.

6. Ms. Garcia may have violated Term No. 2(h) of the Board's Order, which required her to submit quarterly self-reports, in that Ms. Garcia failed to submit self-reports for the last quarter of 2012 and for all four quarters of 2013.

FOR THE BOARD



for Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director for the
Board of Nursing

ENTERED: October 17, 2014