

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: NICOLE DIKE, L.P.N.

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”), Nicole Dike, L.P.N., who holds VA License No. 0002-069811, which expires on June 30, 2009, 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 July 16, 2008, at 2:00 p.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Richmond, Virginia 23233, at which time Ms. Dike will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Dike 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. Dike 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, Richmond, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to inquire into evidence that Nicole Dike, L.P.N., may have violated certain laws and regulations governing nursing practice in Virginia, as more fully set forth in the Statement of Particulars below.

STATEMENT OF PARTICULARS

The Board alleges that:

1. Nicole Dike, L.P.N., may have violated § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Board of Nursing Regulations (“Regulations”) in that during her employment with

Sudley Manor House, Manassas, Virginia, in or about September and October, 2007, she called in unauthorized telephone orders for over 250 tablets of Vicodin (hydrocodone, schedule III) under the names of three residents and diverted these medications for her own use.

2. Ms. Dike may have violated § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations in that during her employment with Bowling Green Healthcare Center, Bowling Green, Virginia (“Bowling Green”), from on or about May 17, 2005, until July 29, 2005, by her own admission, she diverted Vicodin (hydrocodone, schedule III) and Percocet (oxycodone, schedule II) from the residents’ medical supply, for her own use.

3. Ms. Dike may be in violation of § 54.1-3007(6) of the Code in that she has a substance abuse problem that requires ongoing monitoring and treatment, as evidenced by the following:

a. Ms. Dike tested positive for cocaine on or about July 29, 2005 during Bowling Green’s investigation of drug diversion.


b. Ms. Dike enrolled in the Health Practitioners’ Intervention Program (“HPIP”) on or about September 20, 2005, in which she acknowledged a history of drug abuse.

c. On or about November 26, 2005, Ms. Dike relapsed on Adderall (amphetamine, Schedule II) and Oxycodone. She was directed to increase urine screening and she was placed on Naltrexone.

d. On or about January 1, 2007, Ms. Dike relapsed on heroin. She delayed reporting the relapse to the HPIP until March 1, 2007, and consequently her stay of disciplinary action was vacated.

e. On or about February 15, 2008, Ms. Dike was dismissed from the HPIP for relapsing on Vicodin, calling in fraudulent prescription orders at Bowling Green, refusing to enter residential treatment for her substance abuse problem, and failing to call the test line after October 23, 2007.

FOR THE BOARD



Jay P. Douglas/R.N., M.S.M., C.S.A.C.
Executive Director for the
Board of Nursing

ENTERED: June 30th, 2008