



# COMMONWEALTH of VIRGINIA

David E. Brown, D.C.  
Director

## Department of Health Professions

Perimeter Center  
9960 Mayland Drive, Suite 300  
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Virginia Board of Nursing  
Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director

Board of Nursing (804) 367-4515  
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### NOTICE OF INFORMAL CONFERENCE

March 9, 2016

Courtney Sickafoose, L.P.N.  
2 Morrison Avenue  
Newport News, Virginia 23601

**CERTIFIED MAIL**  
9414 7266 9904 2062 8973 95

**Re: VA License No.: 0002-089351**  
**Expiration Date: October 31, 2017**

Dear Ms. Sickafoose:

This is official notification that an informal conference will be held pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), **on April 7, 2016 at 9:00 a.m.** at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233. You may be represented by an attorney at the conference. This informal conference will be convened as a public meeting pursuant to § 2.2-3700 *et seq.* of the Code.

The Special Conference Committee (“Committee”), which is comprised of at least two members of the Virginia Board of Nursing (“Board”), will inquire into allegations that you may have violated certain laws and regulations governing nursing practice in Virginia.

Specifically:

1. You may have violated § 54.1-3007(2), (5), and (6) of the Code and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing (“Regulations”) in that you diverted controlled medications for your personal and unauthorized use and falsified patient/resident records at two different facilities:

a. During the course of your employment with American Addiction Treatment Center, Newport News, Virginia, between August and September, 2015, you diverted methadone, as evidenced by the following:

i. You failed to have a witness cosign seven medication variance reports when you documented that you spilled methadone during the transfer from bulk bottles to patient dose bottles.

ii. You experienced far more incidents of methadone spillage than any other nurse at the facility.

iii. On or about August 14, 2015, you appeared impaired, in that you were described as “zoning out,” “looking high,” lethargic, having glassy eyes, and picking at your skin.

iv. On or about August 19, 2015, you documented spilling approximately 150 mg of methadone while filling Patient A’s two take-home bottles of 80 mg each, when, in fact, the patient’s prescribed dose was 110 mg, and you documented dispensing two 110 mg bottles as prescribed.

v. On or about September 2, 2015, you tested positive for methadone, for which you did not have a prescription.

b. During the course of your employment with The Chesapeake, Newport News, Virginia, in May 2015, you diverted hydrocodone (C-II) and diazepam (C-IV) for your personal and unauthorized use, as evidenced by the following:

i. On or about May 19, 2015, you removed Resident B’s diazepam and controlled medication utilization record from the medication cart after it had been discontinued. You falsely documented wasting the medication and failed to have another nurse witness the waste.

ii. On or about June 2, 2015, you tested positive for diazepam, for which you did not have a prescription.

iii. On or about May 28, 2015, you discontinued Resident B’s hydrocodone without a physician’s order. You removed this medication and controlled medication utilization record from the medication cart. You then falsely documented wasting the medication and falsified the initials of the other nurse who purportedly witnessed the waste.

2. You may have violated § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations in that you provided false information on an application for employment with Newport News Nursing and Rehabilitation, dated September 9, 2015:

a. You failed to list your employment with American Addiction and Treatment Center.

b. You stated that your reason for leaving The Chesapeake was “did not feel that this was where [you] wanted to be,” when, in fact, your employment had been terminated due to your failure to follow drug handling protocols and testing positive for substances for which you did not have a prescription.

Please see Attachment I for the names of the patient and resident referred to above.

In its deliberations, the Committee may use the Sanction Reference Points System, as contained in the Sanction Reference Manual. The manual, which is a guidance document of the Board, may be accessed at <http://www.dhp.virginia.gov/nursing>. Please click on *Guidance Documents*, then select #90-7. You may also request a paper copy from the Board office by calling (804) 367-4515.

Since the allegations listed above involve impairment, please be advised that you may make application to the Health Practitioners' Monitoring Program ("HPMP"), which is available to all health care practitioners licensed in Virginia. Information about the HPMP is enclosed. Should you enter into a written agreement with the HPMP prior to your informal conference, the Committee will take that into consideration when deciding your case.

After the informal conference, the Committee is authorized by § 54.1-2400(10) of the Code to take any of the following actions:

- If the Committee finds that there is insufficient evidence to warrant further action or that the charges are without foundation, the Committee shall notify you by mail that your record has been cleared of any charge which might affect your right to practice nursing in the Commonwealth;
- The Committee may place you on probation for such time as it may designate and subject to such terms and conditions as it may deem appropriate;
- The Committee may reprimand you; or
- The Committee may impose a monetary penalty.

Further, the Committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing. If the Committee is of the opinion that suspension or revocation may be justified, the Committee may offer you a Consent Order for suspension or revocation in lieu of a formal hearing.

If you fail to appear at the informal conference, the Committee may proceed to hear the case in your absence and may take any of the actions outlined above. At least ten days prior to the scheduled date of the conference, please inform this office at (804) 367-4515, or in writing at the address listed above, of your telephone number and whether you intend to appear at the informal conference.

To facilitate this proceeding, you should submit five copies of any documents you wish the Committee to consider to the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, by April 1, 2016. Your documents may not be submitted by facsimile or email.

You have the right to the information on which the Board will rely in making its decision. Therefore, I have enclosed a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the original notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of nursing and other healing arts in Virginia cited in this notice, can be found on the Internet at <http://leg1.state.va.us>. To access this information, please click on the *Code of Virginia* for statutes and *Virginia Administrative Code* for regulations.

Sincerely,

A handwritten signature in black ink that reads "Gloria Mitchell-Lively". The signature is written in a cursive style with a large initial "G" and "M".

Gloria D. Mitchell-Lively, R.N., M.S.N., M.B.A.  
Deputy Executive Director

GML/dt

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division  
Special Conference Committee Members  
Lisa Thomas, Senior Investigator (Case Nos. 169716, 163863)