

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: STACEY REYNOLDS, R.N.
License No.: 0001-122637

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on February 8, 2016 in Henrico County, Virginia. Stacey Reynolds, R.N. was present and was not represented by legal counsel. Judith Pearsall, R.N., B.S.N., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On March 23, 2016 a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Reynolds was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Stacey Reynolds, R.N. was issued License No. 0001-122637 to practice professional nursing in Virginia on March 22, 1991. The license is valid in Virginia only and is scheduled to expire on July 31, 2016. Her primary state of residence is Virginia.
2. By letter dated January 7, 2016, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Reynolds notifying her that an informal conference would be held on February 8, 2016. The Notice was sent by certified and first class mail to 2056 White Water Drive, Virginia Beach, Virginia 23456, the address of record on file with the Board of Nursing.
3. By Order entered August 26, 2014, the Board placed Ms. Reynolds on probation under

certain terms and conditions for not less than two years of actual nursing employment. This Order was based on findings that Ms. Reynolds had diverted Percocet while employed at Sentara Leigh Hospital, Norfolk, Virginia, in 2010, and that she had entered into but been dismissed from the Health Practitioners' Monitoring Program.

4. Ms. Reynolds submitted a petition for release from certain terms of probation on September 2, 2015. Specifically, she asked that the Board remove Term No. 6, which required her to practice only in a structured/supervised employment setting satisfactory to the Board, under the on-site supervision of a professional nurse, and Term No 7, which prevented her from administering any Schedule II – V controlled substances or Nubain.

5. At the informal conference, Ms. Reynolds stated that she was unable to find employment due to the restrictions imposed by the Board's Order. She has not worked in nursing since the entry of the Order.

6. Ms. Reynolds stated that her sobriety date was November 26, 2010. She has had the same sponsor for ten years. She attends group and individual therapy as well as three to four Alcoholics Anonymous or Narcotics Anonymous meetings per week. She stated that she was on Step 4 of the 12-Step recovery program. She was able to accurately describe Step 4 and the difficulty associated with completing this step. She stated she has been working on the step for some time.

7. Ms. Reynolds submitted letters from her substance abuse treatment provider, a licensed clinical social worker, and her psychiatrist, both of whom stated that she was fully compliant with treatment. Her substance abuse treatment provider recommended that she be allowed to return to practice without restriction. Her psychiatrist stated that based on her long-term recovery, he believed that she should be able to administer controlled substances without restriction.

8. Ms. Reynolds' Compliance Case Manager submitted a report stating that Ms. Reynolds is in compliance with all other terms of the Board's Order. All of her random quarterly drug screens have been negative, and she has submitted all required reports on time

CONCLUSIONS OF LAW

Pursuant to Findings of Fact Nos. 5 – 8, Ms. Reynolds has demonstrated sufficient evidence to warrant modification of the Board's Order.

ORDER

WHEREFORE, it is hereby ORDERED that the petition of Stacey Reynolds, R.N. to modify the terms of probation is GRANTED, and Ms. Reynolds shall be placed on PROBATION for a period of two years of actual nursing practice subject to the following terms and conditions:

1. The period of probation shall begin on the date that this Order is entered and shall end at such time as Ms. Reynolds has completed two years of active practice in employment as a professional nurse ("practice employment"). The license of Ms. Reynolds shall be reinstated without restriction at the completion of the probationary period without an administrative proceeding unless there is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 2.2-4000 et seq. and § 54.1-2400(9) et seq. of the Code.

2. Ms. Reynolds shall not use alcohol or any other mood altering chemical, except as prescribed by a health care practitioner with whom she has a bona fide practitioner/patient relationship and for accepted medicinal or therapeutic purposes. Should she be prescribed any Schedule II-V controlled medication, a written report from the prescribing practitioner shall be provided to the Board within ten days of the date the medication is prescribed.

3. Ms. Reynolds shall be required to have one supervised, unannounced random drug screen per month, from a Board-approved testing entity, which includes testing for alcohol and the following drugs of choice: opiates and benzodiazepines. The Board shall be notified immediately in writing if Ms. Reynolds refuses to give a specimen for analysis as required by this Order, or of any positive results. All positive results must be confirmed by a confirmatory drug test, the results of which are to be sent to the Board immediately.

4. Ms. Reynolds shall attend Alcoholics Anonymous or Narcotics Anonymous support group meetings three to four times per week.

5. Ms. Reynolds shall inform all current and future practice employers that the Board has placed her on probation and Ms. Reynolds shall provide each practice employer with a complete copy of this Order. If Ms. Reynolds is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.

6. Ms. Reynolds shall provide all current and future treating practitioners with a complete copy of this Order and shall execute an *Authorization for Disclosure of Information* form providing for unrestricted communication between the Board, Compliance, and any treatment providers, court-appointed probation or parole officers, and/or any consultants designated by the Board, if applicable, to include individual and group therapy sessions with Peggy Lidstrom, L.C.S.W., and Michael Bohan, M.D.

7. Ms. Reynolds shall conduct herself as a professional nurse in compliance with the requirements of Title 54.1, Chapter 30 of the Code and the Board of Nursing Regulations.

8. Any violation of the stated terms and conditions contained in this Order, or failure to comply with all terms of this Order within five years of the date of entry of the Order, shall be reason


for suspending or revoking the license of Stacey S. Reynolds, R.N., and an administrative proceeding may be held to determine whether her license shall be suspended or revoked.

9. This Order shall be applicable to Ms. Reynolds' multistate licensure privilege, if any, to practice professional nursing. For the duration of this Order, Ms. Reynolds shall not work outside the Commonwealth of Virginia pursuant to a multistate licensure privilege without the express written permission of both the Virginia Board of Nursing and the Board of Nursing in the party state where she wishes to work. Any request for out of state employment should be directed, in writing, to the Executive Director of the Board.

Pursuant to § 54.1-2400.2 of the Code, 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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Reynolds may, not later than 5:00 p.m., on May 3, 2016, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD:


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

ENTERED: March 31, 2016

This Order shall become final on May 3, 2016; unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By J. Sawles
Virginia Board of Nursing