

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: **DANA M. MOWRY, R.N.**  
**License No.: 0001-232708**

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Dana M. Mowry, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Mowry's license to practice professional nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Dana M. Mowry, R.N. was issued License No. 0001-232708 to practice professional nursing in by the Virginia Board of Nursing on July 26, 2011. Said license is valid in Virginia only and is set to expire on February 29, 2016. Her primary state of residence is Virginia.
2. On April 23, 2013, Ms. Mowry self-reported to the Board that she had a substance abuse problem. She admitted that she was addicted to hydrocodone (C-III until October 6, 2014, then C-II), hydromorphone (C-II), and heroin. She stated in an interview with the Department of Health Professions' investigator that she began taking drugs for recreational purposes in 2002.
3. Ms. Mowry began an intensive outpatient treatment program at the Family Counseling Center for Recovery, Fredericksburg, Virginia ("FCCR").
4. Ms. Mowry entered into a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") on June 14, 2013, and her first Recovery Monitoring Contract ("RMC") on July 29, 2013. Her latest RMC was entered on April 8, 2015.
5. Ms. Mowry was granted a stay of disciplinary action on September 16, 2013.

6. Ms. Mowry's stay of disciplinary action was vacated on July 1, 2015, due to her failure to continue to attend counseling at FCCR and her admission that she had relapsed on Percocet (oxycodone/APAP, C-II) and methadone (C-II).

7. Ms. Mowry is currently attending an intensive outpatient program through FCCR.

8. As of October 22, 2015, Ms. Mowry has been compliant with her HPMP contracts.

### CONCLUSIONS OF LAW

The Board concludes that Findings of Fact Nos. 2 and 6 constitute a violation of § 54.1-3007(6) of the Code of Virginia (1950), as amended ("Code").

### CONSENT

Dana M. Mowry, R.N., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice professional nursing in Virginia.

### ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. The Board shall TAKE NO ACTION at this time contingent on the following conditions:

a. Dana M. Mowry, R.N. shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.

b. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Mowry, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Mowry shall be noticed to appear before the Board at such time as the Board is notified that:

i. Ms. Mowry is not in compliance with the terms and conditions specified by the HPMP;

ii. Ms. Mowry's participation in the HPMP has been terminated;

iii. There is a pending investigation or unresolved allegation against Ms. Mowry involving a violation of law, regulation, or any term or condition of this order.

iv. Ms. Mowry has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Mowry's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Mowry's appearance before the Board and conduct an administrative review of this matter.

2. This Order is applicable to Ms. Mowry's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Mowry shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where Ms. Mowry wishes to work.

Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

3. Ms. Mowry shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

Pursuant to §§ 2.2-4023 and 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 public record and shall be made available for public inspection or copying upon request.

FOR THE BOARD:

*Jay Douglas*

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

ENTERED: February 18<sup>th</sup>, 2016

SEEN AND AGREED TO:

*Dana Mowry, R.N.*  
Dana M. Mowry, R.N.

COMMONWEALTH OF VIRGINIA,  
COUNTY/CITY OF SPOTSYLVANIA, TO WIT:

Subscribed and sworn to before me, JOHN P WENSIK, a Notary Public, this 5 day of February, 2016.

My commission expires 6/30/2018.

Registration Number 7017883

Certified True Copy

By *Stacy EK*  
Virginia Board of Nursing

*John P Wensik*  
NOTARY PUBLIC

