

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

CYNTHIA GAY YOUNG, R.N.

ORDER FOR REINSTATEMENT AND PROBATION

Pursuant to § 9-6.14.11 and § 54.1-110 of the Code of Virginia (1950), as amended, (the "Code"), an Informal Conference was held before a Special Conference Committee of the Virginia Board of Nursing (the "Board") on December 7, 1992, in Henrico County, Virginia. The purpose of the hearing was to receive and act upon evidence regarding the petition of Cynthia Young for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia, which was suspended by an Order of the Board entered on January 2, 1992. Ms. Young was present and not represented by counsel.

Upon consideration of the evidence presented, the Committee adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Cynthia Gay Young previously held License No. 0001-107629 to practice professional nursing which was issued by the Board.
2. By Order entered November 20, 1991, the license of Cynthia G. Young to practice professional nursing was summarily suspended. By Consent Order entered January 2, 1992, Ms. Young's license was indefinitely suspended due to her diversion, adulteration and self-administration of certain Schedule II controlled substances.
3. On October 15, 1991, Ms. Young entered Peninsula Hospital for substance abuse treatment. From October 29, 1991 to January 17, 1992, Ms. Young received inpatient treatment at Perspectives Professional Health Program, Hampton, Virginia, for opioid dependence.

4. On January 16, 1992, Ms. Young signed a two (2) year Aftercare contract with Perspectives. She is in compliance with all terms of the contract.

5. Ms. Young states a sobriety date of October 14, 1991. She states she attends Alcoholics Anonymous two (2) times a week, Caduceus once a week, and Perspectives alumni meetings. She is also a member of the Perspectives Alumni Committee.

6. Since October 1991, Ms. Young has been attending weekly therapy sessions with Colleen Guardia, M.S.W., L.C.S.W.

7. From October 16, 1991 to November 15, 1991, Ms. Young has submitted to fifteen (15) random, supervised drug screens. All results have been negative.

8. Ms. Young signed a contract with the Peer Assistance for Chemically Dependent Nurses (PACDN). Her sponsor states she is in compliance with her contract.

9. Ms. Young has been employed since March 1992 with Sentinal Systems, Hampton, Virginia, handling new accounts and marketing.

10. Ms. Young states she keeps current with nursing practice through conversation with other nurses and reading nursing magazines.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that Cynthia Gay Young has met the requirements of § 54.1-3009(C) of the Code and that she is competent to return to the practice of nursing with reasonable skill and safety to her patients.

ORDER

WHEREFORE, it is hereby ORDERED that the License of Cynthia Gay Young to practice professional nursing in the Commonwealth of Virginia, be REINSTATED ON PROBATION subject to the following terms and conditions:

1. The period of probation shall begin on the date that this Order is final and shall continue INDEFINITELY. Ms. Young may request that the Board end her probation after not less than two (2) years of employment as a Registered Nurse.

2. All written reports required by this Order shall be sent to the Board office with the first report being received no later than forty-five (45) days following the date that this Order is final. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends.

3. Ms. Young shall inform her nursing employer and each future nursing employer that the Board has placed her license on probation and shall provide her employer with a copy of this Order. If, at any time, Ms. Young is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that her license is on probation.

4. Ms. Young shall practice nursing only in a structured, supervised employment setting satisfactory to the Board for the first year. This employment setting shall provide on-site supervision by a Medical Doctor or Registered Nurse who is located on the same level of the building, who works the same shift, and who holds an unrestricted license. Before changing employment, Ms. Young shall request that her prospective employer provide a written description of the structured, supervised employment setting to the Board office for approval.

5. Ms. Young shall inform the Board in writing within ten (10) days of the date she begins nursing practice again and shall provide the Board with the name and address of the employer. Ms. Young shall inform the Board in writing within ten (10) days of any change of employment or any interruption in nursing practice.

6. Ms. Young shall direct her nursing employer to provide a written nursing performance evaluation to the Board as stated in term number 2.

7. Ms. Young shall not administer any Schedule II through V Controlled Substances or Stadol and Nubain, Schedule VI Controlled Substances for the first six months of employment as a Registered Nurse.

8. Ms. Young shall continue in treatment until discharged and will direct the therapist to provide the Board with a written progress report as stated in term number 2. The therapist shall provide a written discharge summary when appropriate. Ms. Young shall provide the therapist with a copy of this Order and authorize the therapist to communicate with the Board's representatives concerning her progress.

9. Ms. Young shall direct the therapist to notify the Board if she withdraws from the treatment program before being discharged.

10. Ms. Young shall be required to have supervised, unannounced drug screens and have all results sent to the Board as stated in term number 2. The Board shall be notified immediately in writing of any positive results or if Ms. Young refuses to give a specimen for analysis as required by this Order.

11. Ms. Young shall continue to be active in Alcoholics Anonymous and Caduceus and Perspective Aftercare with written reports of attendance by a sponsor or contact person sent to the Board as stated in term number 2.

12. Ms. Young shall continue to be active in the Peer Assistance for Chemically Dependent Nurses (PACDN) Program of the Virginia Nurses' Association and will direct the PACDN representative to provide the Board with written reports as stated in term number 2 concerning her progress in the program and to advise the Board immediately if Ms. Young leaves or fails the program before completion.

13. Ms. Young shall not use alcohol or other mood altering chemicals except as prescribed by a physician with whom she has established a genuine physician/patient relationship and for accepted medicinal or therapeutic purposes. Should she be prescribed any medication such as a narcotic, depressant, tranquilizer, analgesic or stimulant, a written report from the

prescribing physician shall be provided to the Board within ten (10) days of the date of the prescription.

14. Written reports shall be provided by Ms. Young which will include her current address and current employment, if any. These reports shall be sent to the Board office as stated in term number 2.

15. The Board shall issue a license marked PROBATION WITH TERMS upon receipt of the appropriate fee.

16. Cynthia Gay Young, as a Registered Nurse shall conduct herself in compliance with the requirements of Title 54.1, Chapter 30 of the Code of Virginia (1950), as amended, and the Board of Nursing Regulations.

Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Cynthia Gay Young, and a hearing shall be held to decide whether her license shall be revoked.

Any request for modification of this Order may be referred to a Special Conference Committee of the Board which shall have the full authority to make revisions or changes as it deems necessary.

Pursuant to § 9-6.14:14 of the Code of Virginia (1950), as amended, 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 on request.

FOR THE BOARD

Corinne F. Dorsey
Corinne F. Dorsey, R.N.
Executive Director

ENTERED:

December 22, 1992

Received: December 22, 1992

By: Bernard L. Henderson, Jr.
Bernard L. Henderson, Jr., Director
Department of Health Professions