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VA BD OF NURSING

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: TERRI R. WALLACE-FAULK, R.N.
License No.: 0001-220303

CONSENT ORDER

The Virginia Board of Nursing (“Board”) and Terri R. Wallace-Faulk, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Faulk’s license to practice professional nursing in Virginia.

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

FINDINGS OF FACT

1. Terri R. Wallace-Faulk, R.N., was issued License No. 0001-220303 to practice professional nursing by the Virginia Board of Nursing on July 22, 2009. Said license is set to expire on January 31, 2015. Her primary state of residence is Virginia.
2. Between August 30, 2010, and September 30, 2010, during the course of her employment with Bon Secours Maryview Medical Center, Portsmouth, Virginia, Ms. Wallace-Faulk diverted Percocet (oxycodone, Schedule II) for her own personal and unauthorized use. She accomplished the diversion by removing the medication for patients and keeping part of the doses for herself. As a result, Ms. Wallace-Faulk’s employment was terminated effective October 8, 2010.
3. On October 19, 2010, Ms. Wallace-Faulk entered a Participation Contract with the Health Practitioners’ Monitoring Program (“HPMP”). On November 15, 2010, she began an intensive outpatient treatment program at the Counseling Center, and she signed her first Recovery Monitoring Contract on November 29, 2010. On March 1, 2011, she received a stay of disciplinary action for the diversion from Bon Secours Maryview Medical Center.

4. Beginning in 2013, Ms. Wallace-Faulk missed several telephone check-ins with the toxicology screening test line. After being placed on warning status on May 17, 2013, she missed an additional call to the test line on September 27, 2013. A review of her prescription monitoring report also revealed two unreported prescriptions for Ambien (Zolpidem, Schedule IV) on August 2, 2013, and September 11, 2013. Accordingly, she was placed on pre-dismissal status and her toxicology screening frequency was increased. In addition, she was removed from her employment with Davita Dialysis on October 9, 2013, and her stay of disciplinary action was also vacated on that same date. Ms. Wallace-Faulk was further instructed to have a substance abuse evaluation completed by October 15, 2013. She completed the substance abuse evaluation on October 14, 2013, and returned to work on October 15, 2013.

5. On January 10, 2014, Ms. Wallace-Faulk tested positive for alcohol. As a result, she was continued on pre-dismissal status, her treatment frequency was increased to weekly, she was required to attend 90 12-step meetings in 90 days, and she was given a deadline of February 7, 2014, to submit a written essay addressing the dangers that mood altering ingredients in medications pose for relapse.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2), (5), and (6) of the Code of Virginia (1950), as amended (“Code”), and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing.

2. Findings of Fact Nos. 4 and 5 constitute a violation of § 54.1-3007(6) of the Code.

CONSENT

Terri R. Wallace-Faulk, 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 practical 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 against Terri R. Wallace-Faulk, R.N., at this time contingent upon her remaining in compliance with the HPMP for the period of time specified by the HPMP.

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

a. Ms. Wallace-Faulk is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;

b. There is a pending investigation or unresolved allegation against Ms. Wallace-Faulk involving a violation of law or regulation or any term or condition of this Order; or

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

3. This Order is applicable to Ms. Wallace-Faulk's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Wallace-Faulk 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 she wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

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

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

ENTERED: April 23, 2014

SEEN AND AGREED TO:

Terri R. Wallace-Faulk
Terri R. Wallace-Faulk, R.N.

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

Subscribed and sworn to before me, Mario Iaccarino, a Notary Public, this 9 day of Apr, 20 14.

My commission expires 28 Feb 2012.

Registration Number 209685.

Mario Iaccarino
NOTARY PUBLIC

