

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: LAUREN D. RILEY, R.N.
License No.: 0001-203319

CONSENT ORDER

Pursuant to §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), an informal conference was held before a Special Conference Committee (“Committee”) of the Board of Nursing (“Board”) on October 4, 2011, in Henrico County, Virginia, to inquire into evidence that Lauren D. Riley, R.N., may have violated certain laws and regulations governing the practice of nursing in Virginia. Ms. Riley was present and was represented by Margaret Hardy, Esquire.

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

FINDINGS OF FACT

1. Lauren D. Riley, R.N., was issued License No. 0001-203319 to practice professional nursing by the Virginia Board of Nursing on August 22, 2006. Said license is set to expire on June 30, 2012. Ms. Riley’s primary state of residence is Virginia.

2. By letter dated April 29, 2011, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Riley notifying her than an informal conference would be held on June 1, 2011. The Notice was sent by certified mail to the address of record on file with the Board. The receipt for the Notice sent via certified mail was signed for by Ms. Riley and returned to the Board on May 4, 2011. The Notice sent via first-class mail was not returned to the Board. By letter dated June 24, 2011, the Board notified Ms. Riley that her informal conference had been continued until October 4, 2011. The letter was sent via certified mail to Ms. Riley at her address of record, and to Margaret Hardy, Ms. Riley’s counsel. The receipt for the

certified mail sent to Ms. Riley was returned to the Board on August 22, 2011, and the receipt for the certified mail sent to Ms. Hardy was returned to the Board on June 30, 2011. Neither of the continuance letters sent via first-class mail was returned to the Board.

3. During the course of her employment with ECPI/MCI, Richmond, Virginia, on November 14, 2010, Ms. Riley stole three tablets of Dilaudid (hydromorphone – Schedule II) and attempted to steal one additional package of Dilaudid from Parham Healthcare and Rehabilitation Center, Richmond, Virginia, for her personal and unauthorized use.

4. Ms. Riley's employment with ECPI/MCI was terminated as a result of the incident.

5. During the course of her employment at Retreat Hospital, Ms. Riley diverted Dilaudid for her personal and unauthorized use, as evidenced by the following:

a. On April 19, 2010, at 10:48 p.m., she signed out 4 mg of Dilaudid for Patient A, documented wasting 2 mg of the medication at 11:07 p.m., and she failed to document administering, or otherwise account for, the remaining 2 mg.

b. On April 20, 2010, at 6:31 p.m., she signed out 4 mg of Dilaudid for Patient B, documented wasting 2 mg of the medication at 7:00 p.m., and she failed to document administering, or otherwise account for, the remaining 2 mg. Furthermore, she was not assigned to Patient B for her shift.

c. From April 18, 2010, through April 22, 2010, on three occasions, she withdrew Dilaudid for patients that were not assigned to her, and on two occasions, she withdrew and administered Dilaudid to patients and then failed to document a patient assessment.

d. On April 22, 2010, she refused to submit to a urine drug screen, and she refused to empty her jacket pockets when requested to do so by an investigator for the Department of Health Professions.

6. Ms. Riley's employment with Retreat Hospital was terminated as a result of the incidents referenced in Finding of Fact No. 3(a) – 3(c)

7. Ms. Riley admitted to an addiction to opiate medication, as she acknowledged in signing a Recovery Contract with the Health Practitioners Monitoring Program on February 7, 2011, and she stated that her date of sobriety was December 21, 2010.

8. Ms. Riley is currently enrolled in the HPMP and is in compliance with her Recovery Monitoring Contract.

9. Ms. Riley has been employed since September 14, 2011, on a prn basis. The HPMP approved Ms. Riley's return to work and approved her to work with narcotic medications.

10. Ms. Riley completed a residential substance abuse treatment program in January 2011. Ms. Riley subsequently completed an aftercare program in May 2011. Ms. Riley is currently in treatment with a psychotherapist, who reports that she has been in continued compliance, and she is fully compliant with her HPMP contract.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5) and (6) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing ("Regulations").

2. Finding of Fact No. 5(a) through 5(d) constitute a violation of § 54.1-3007(2), (5) and (6) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations.

3. Finding of Fact No. 7 constitutes a violation of § 54.1-3007(6) of the Code.

CONSENT

Lauren Riley, 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 formal fact finding hearing 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 a formal fact finding hearing;

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. License No. 0001-203319 of Lauren D. Riley, R.N., is INDEFINITELY SUSPENDED.

2. The license will be recorded as suspended and no longer current.

3. At such time as Ms. Riley shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Riley shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.

4. This suspension shall be STAYED contingent upon the following terms and conditions:

a. Ms. Riley shall comply with all terms and conditions of her Recovery Monitoring Contract for the period specified by the HPMP.

b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Ms. Riley, and an administrative proceeding shall be held to determine whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:

- i. Ms. Riley is not in compliance with the terms and conditions specified by the HPMP;
- ii. Ms. Riley's participation in the HPMP has been terminated;
- iii. There is a pending investigation or unresolved allegation against Ms. Riley involving a violation of law, regulation, or any term or condition of this order.

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

6. Ms. Riley 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.

JAN 05 2012
DHP

FOR THE BOARD

Patricia M. Selig
Patricia M. Selig, R.N., F.N.P., Ph.D.
President, Virginia Board of Nursing

ENTERED: January 24, 2012

SEEN AND AGREED TO:

Lauren D. Riley, R.N.
Lauren D. Riley, R.N.

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

Subscribed and sworn to before me, Deborah Jones Altizer, a Notary Public, this 3rd day of January, 2012.

My commission expires 2/28/14

Registration Number 7331809

DEBORAH JONES ALTIZER
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES FEB. 28, 2014
COMMISSION # 7331809

Deborah Jones Altizer
NOTARY PUBLIC

Certified True Copy
By Agraham
Virginia Board of Nursing