

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       ANDREA THOMAS, R.N. a/k/a ANDREA BREEDEN**  
**License No.: 0001-244879**

**ORDER**

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on December 14, 2015, in Henrico County, Virginia, to inquire into evidence that Andrea Thomas, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia. Ms. Thomas was present and was not represented by counsel.

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

**FINDINGS OF FACT**

1. Andrea Thomas, R.N., was issued License No. 0001-244879 to practice professional nursing in the Commonwealth of Virginia on June 18, 2013. Said license expires on January 31, 2017. Ms. Thomas’ primary state of residence is Virginia.
2. By letter dated November 18, 2015, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Thomas notifying her that an informal conference would be held on December 14, 2015. The Notice was sent by certified and first class mail to 314 Ninth Avenue, Luray, Virginia, 22835, the address of record on file with the Board of Nursing.
3. During the course of her employment with Avante of Harrisonburg, Virginia, by her own admission, on April 9, 2015, Ms. Thomas diverted Percocet (C-II) for her personal and unauthorized use, and she stole the facility’s narcotic count sheet to conceal the theft.

4. On September 14, 2015, Ms. Thomas signed a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") in which she acknowledged her opioid, marijuana and methamphetamine abuse.

5. Ms. Thomas is currently on warning status with HPMP. She tested positive for marijuana on her first urine drug screen, which took place on November 23, 2015. She admitted to smoking marijuana on November 18, 2015.

6. Ms. Thomas has been attending a methadone maintenance clinic since June 2015 and is prescribed 70 mg of methadone daily. Ms. Thomas attends Narcotics Anonymous meetings three times per week. She receives individual counseling once a week and group counseling once a month. She attends relapse prevention. She also attends Caduceus twice a month.

7. Ms. Thomas stated that she sold some of the Percocet she diverted to a family member.

8. Ms. Thomas stated that she has struggled with addiction since 2001 and that her drugs of choice were marijuana, methamphetamines, and oxycodone. Ms. Thomas stated that she is not currently working.

9. Ms. Thomas stated that she diverted narcotic medication from her previous place of employment, Harrisonburg Health and Rehab, but was not caught.

#### CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), (6), and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing.

2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code.

3. Based on the above Findings of Fact, the Committee concludes that Ms. Thomas is properly enrolled in the Health Practitioners' Monitoring Program ("HPMP").

#### ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. The Committee shall TAKE NO ACTION at this time, contingent upon Ms. Thomas' compliance with all terms and conditions of the Recovery Monitoring Contract ("Contract") with the HPMP for the period specified in the Contract.

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

a. Ms. Thomas 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. Thomas involving a violation of law or regulation or any term or condition of this Order; or

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


3. This Order shall be applicable to Ms. Thomas' multistate licensure privilege, if any, to practice professional nursing. For the duration of this Order, Ms. Thomas shall not work outside 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. Thomas wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

4. Ms. Thomas 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 on request.


Pursuant to Section 54.1-2400(10) of the Code, Ms. Thomas may, not later than 5:00 p.m., on February 10, 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 COMMITTEE:

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

ENTERED: January 8<sup>th</sup>, 2016

This Order shall become final on February 10, 2016; unless a request for a formal administrative hearing is received as described above.

**Certified True Copy**  
By   
**Virginia Board of Nursing**