

VIRGINIA:

BEFORE THE COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE

**IN RE: Nancy J. Swick, L.N.P.
License No.: 0024-169570, 0017-140296**

CONSENT ORDER

The Virginia Committee of the Joint Boards of Nursing and Medicine ("Committee of the Joint Boards") and Nancy Swick, L.N.P., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Swick's license to practice as a nurse practitioner in Virginia.

The Committee of the Joint Boards adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Nancy Swick, L.N.P., was issued License No. 0024-169570 to practice as a nurse practitioner by the Committee of the Joint Boards on August 2, 2011. Ms. Swick was issued Prescriptive Authority No. 0017-140296 by the Committee of the Joint Boards on November 14, 2011. Both licenses expired on April 30, 2013.
2. During the course of her employment with Ft. Belvoir Community Hospital, Ft. Belvoir, Virginia, from on or about December 17, 2012 through January 4, 2013, Ms. Swick failed to report to work, respond to phone calls, or notify staff that she would not be reporting for duty.
3. On multiple occasions during the course of her employment with Ft. Belvoir Community Hospital, Ft. Belvoir, Virginia, between on or about February 15, 2012 to on or about July 18, 2012, Ms. Swick failed to accurately document patient lab results for several patients and exhibited questionable patient management decisions regarding consultation and ordering of colposcopies and LEEP procedures.
4. Ms. Swick is unable to safely practice as a professional nurse and as a nurse practitioner due to mental illness that requires medication and treatment and for which she was hospitalized in May of 2013.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 2 and 3 constitute a violation of § 54.1-3007(2), (5), and (6) of the Code of Virginia (1950), as amended (“Code”), and 18VAC 90-30-220(4) of the Regulations Governing the Licensure of Nurse Practitioners.
2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code and 18VAC 90-30-220(4) of the Regulations Governing the Licensure of Nurse Practitioners.

CONSENT

Nancy J. Swick, L.N.P., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document and is represented by Eileen M. Talamante, Esq., and Michael Goodman, Esq;
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 Committee of the Joint Boards, 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 neither admits nor denies the Findings of Fact and Conclusions of Law contained herein but waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Committee of the Joint Boards;
6. She consents to the entry of the following Order affecting her right to practice as a nurse practitioner in Virginia.

ORDER

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

1. The right of Nancy J. Swick to renew License Nos. 0024-169570 and 0017-140296 is INDEFINITELY SUSPENDED.

2. The licenses will be recorded as suspended.

3. At such time as Ms. Swick shall petition the Committee of the Joint Boards for reinstatement of her licenses, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice as a nurse practitioner. Ms. Swick 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 upon proof of Ms. Swick's entry into the Health Practitioners' Monitoring Program ("HPMP"), or similar monitoring program in Pennsylvania. At such time, the indefinite suspension shall be STAYED and the following terms and conditions shall apply:

a. Ms. Swick 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 summarily rescinding the stay of indefinite suspension of the licenses of Ms. Swick, and an administrative proceeding shall be held to determine whether her licenses shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Committee of the Joint Boards is notified that:

- i. Ms. Swick is not in compliance with the terms and conditions specified by the HPMP;
- ii. Her participation in the HPMP has been terminated;

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

5. Upon receipt of evidence of Ms. Swick’s participation in and successful completion of the terms specified by the HPMP, the Committee of the Joint Boards, at its discretion, may waive Ms. Swick’s appearance before the Committee of the Joint Boards, and conduct an administrative review of this matter.

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 COMMITTEE OF THE JOINT BOARDS:

Louise Hershkowitz
Louise Hershkowitz, C.R.N.A., M.S.H.A., Chairperson
Committee of the Joint Boards of Nursing and Medicine

ENTERED: 9/17/14

SEEN AND AGREED TO:

Nancy J. Swick
Nancy J. Swick, L.N.P.

PENNSYLVANIA
COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF ALLEGHENY, TO WIT:

Subscribed and sworn to before me, JENNIFER STROZIER, a Notary Public, this 29th day of JULY, 2014, BY NANCY J. SWICK ONLY.

My commission expires 02-04-15.

Registration Number 1190597

Jennifer Strozier
NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Jennifer Strozier - Notary Public
Monroeville Boro., Allegheny County
MY COMMISSION EXPIRES FEB. 04, 2015

Certified True Copy

By J. Robinson-Howers
Virginia Board of Nursing
9-30-14