

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: CARRIE JO CANARD, R.N.
LICENSE NO.: 0001-207308**

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on August 18, 2011, in Henrico County, Virginia. Carrie Jo Canard, R.N., was present and was not represented by legal counsel. Jane Elliott, serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On November 16, 2011, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Canard was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Carrie Jo Canard, R.N., was issued License No. 0001-207308 to practice professional nursing in Virginia on June 20, 2007. The license is scheduled to expire on August 31, 2013. She was also issued License No. 0002-063933 to practice practical nursing in Virginia on June 27, 2002, and said license expired on August 31, 2007. Ms. Canard's primary state of residence is Virginia.

2. By letter dated July 14, 2011, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Canard notifying her that an informal conference would be held on August 18, 2011. The Notice was sent by certified and first class mail to 13 Kingsbridge Court, Warrenton, Virginia 20186,

the address of record on file with the Board of Nursing. The Notice was also sent to 345 Warren Court, Warrenton, Virginia 20186, a secondary address.

3. On January 3, 2011, Ms. Canard arrived for her shift at Culpeper Regional Hospital, Culpeper, Virginia, appearing disheveled, talking rapidly, and by her own admission, “in no condition to be providing care.”

4. Ms. Canard stated at the informal conference that she had been sick during the several days preceding the shift and that she advised her employer that she had just been involved in a domestic altercation with her boyfriend.

5. Ms. Canard stated at the informal conference that on three occasions in the six months preceding the January 3, 2011, incident, she had requested that her parents take her to the hospital for depression and panic attacks.

6. Ms. Canard stated that she tested positive for amphetamines on a drug screen following the January 3, 2011, incident at the hospital due to the Adderall she was taking at the time pursuant to a prescription.

7. Between February 1, 2009, and February 25, 2011, Ms. Canard obtained 101 prescriptions for narcotic and sedative medication, including 35 prescriptions for butalbital (Schedule III), 25 prescriptions for dextroamphetamine (Schedule II), 15 prescriptions for hydrocodone (Schedule III), five prescriptions for oxycodone (Schedule II), three prescriptions for acetaminophen/codeine phosphate (Schedule IV), and two prescriptions for alprazolam (Schedule IV) from 28 different prescribers and filled them at nine different pharmacies.

8. Ms. Canard admitted at the informal conference that she did “have a problem” with narcotic medication, opiates in particular. She stated that she had been abusing pain medication for six or seven years. She further stated that she has started to realize that “things were not right” in the last three or

four months, as she has lost her job and nearly lost custody of her children.

9. Ms. Canard stated that she is currently seeing a psychiatrist and a counselor at Fauquier County Community Services once a week, but that she is no longer taking any medication, by her choice. She stated that she stopped taking Celexa and Adderall in late July or early August.

10. Ms. Canard is not currently enrolled in the Health Practitioners' Monitoring Program.

11. Ms. Canard's employment with Culpeper Regional Hospital was terminated as a result of the January 3, 2011, incident and is currently not working.

CONCLUSION OF LAW

Findings of Fact Nos. 3, 5, 7, 8, and 9 constitute violations of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. License No. 0001-207308 of Carrie J. Canard, R.N., is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. The right of Ms. Canard to renew License No. 0002-063933 to practice practical nursing is INDEFINITELY SUSPENDED.
4. At such time as Ms. Canard shall petition the Board for reinstatement of her license to practice professional nursing and/or the reinstatement of her right to renew her license to practice practical nursing, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional and/or practical nursing. Ms. Canard 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 applies to any multistate privilege to practice professional/nursing.

5. This suspension shall be STAYED upon proof of entry into the HPMP. At such time,

the indefinite suspension shall be STAYED and the following terms and conditions shall apply:

a. Ms. Canard shall comply with all terms and conditions 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. Canard, 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. Canard is not in compliance with the terms and conditions specified by the HPMP;

ii. Ms. Canard's participation in the HPMP has been terminated;

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

6 Upon receipt of evidence of Ms. Canard's participation and successful completion of the HPMP, the Board, at its discretion, may waive Ms. Canard's appearance before a Committee and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

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


8. Ms. Canard shall maintain a course of conduct in her capacity as a professional and/or

practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

This Order is subject to appeal to the Board. If Ms. Canard desires a formal administrative hearing before the Board pursuant to §§ 2.2-4020 and 2.2-4021 of the Code, she must notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, in writing, within thirty-three (33) days from the date of service of this Order. Upon the filing of a request for the hearing with the Executive Director, this Order shall be vacated.

Pursuant to § 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 a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD



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

Entered: November 21ST, 2011