

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: SUSAN R. NELSON, R.N.
License No.: 0001-234683

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 September 8, 2015, in Henrico County, Virginia. Susan R. Nelson, R.N., was not present but was represented by Carole Schrieffer, Esquire. Judith Piersall, R.N., B.S.N., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On November 18, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Nelson 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. Susan R. Nelson, R.N., was issued License No. 0001-234683 to practice professional nursing in Virginia on November 23, 2011. The license is scheduled to expire on May 31, 2017. Her primary state of residence is Virginia.

2. By letter dated June 12, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Nelson notifying her that an informal conference would be held on July 7, 2015. The Notice was sent by certified and first class mail to 4205 Deep Creek Blvd., Portsmouth, Virginia 23702, the address of record on file with the Board of Nursing. Subsequently, Ms. Nelson requested a continuance. By letter dated July 7, 2015, the Board notified Ms. Nelson that the informal conference

would be held on September 8, 2015.

3. During the course of her employment with Bon Secours Maryview Medical Center, Portsmouth, Virginia, from approximately August 2013 to July 30, 2014, Ms. Nelson diverted Dilaudid (hydromorphone, C-II) for her own personal and unauthorized use, as evidenced by the following:

a. On July 1, 2014, Ms. Nelson removed Dilaudid 1mg for Patient A. She failed to document the administration of the narcotic in the patient's Medication Administration Record ("MAR"), and failed to return or waste the medication in the Pyxis machine.

b. On July 7, 2014, at 16:19 and 20:02, Ms. Nelson removed Dilaudid 1mg for Patient B. She failed to document administration of the medication in the patient's MAR. Further at 20:00, Ms. Nelson documented wasting the medication withdrawn from the Pyxis at 16:19. There was no witness to the wasting.

c. Between July 13, 2014, and July 23, 2014, Ms. Nelson was the only nurse to sign out and administer Dilaudid to Patient C. On July 23, 2014, Ms. Nelson failed to document the administration of the narcotic in Patient C's MAR.

4. On July 30, 2014, Ms. Nelson submitted to a urine drug screen, which was positive for hydrocodone, for which she did not have a valid prescription.

5. Ms. Nelson's employment with Bon Secours Maryview Medical Center was terminated effective July 30, 2014, although her nurse manager described her as an excellent nurse and there had been no previous patient complaints.

6. On July 30, 2014, during an interview with an investigator from the Department of Health Professions, Ms. Nelson admitted to diverting drugs for approximately one year. Ms. Nelson expressed remorse for her actions and stated that she had never deprived a patient of pain medication.

7. On August 1, 2014, Ms. Nelson entered into a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP"), in which she acknowledged having a substance abuse problem. On September 8, 2014, and January 24, 2015, Ms. Nelson entered into Recovery Monitoring Contracts with the HPMP. Ms. Nelson submitted a resignation letter to the HPMP on April 17, 2015, in which she indicated that her finances and her job schedule as a long distance truck driver no longer allowed her to continue in treatment. On May 15, 2015, Ms. Nelson was dismissed from the HPMP for noncompliance. Specifically:

- a. Ms. Nelson submitted a diluted specimen on January 27, 2015.
- b. On April 10, 2015, Ms. Nelson's treatment provider reported excessive absences.
- c. Ms. Nelson failed to screen on April 15, 2015, and stopped calling the drug screen test line as of April 16, 2015. HPMP reported Ms. Nelson was in compliance with her Recovery Monitoring Contract signed on September 8, 2014, until she stopped calling the test line on April 16, 2015, demonstrating seven months of documented sobriety.

8. Ms. Schrieffer reported that Ms. Nelson is employed as a long distance truck driver in order to support her family. Ms. Nelson entered a one-year contract, which expires in April 2016, and which prevented her from attending therapy sessions required by the HPMP. Further, Ms. Schrieffer reported no criminal charges have been filed against Ms. Nelson to date.

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. 7 constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. License No. 0001-234683 of Susan R. Nelson, R.N., is INDEFINITELY SUSPENDED for a period of not less than one year.

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

3. At such time as Ms. Nelson 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. Nelson 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.


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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Nelson may, not later than 5:00 p.m., on January 16, 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.

Certified True Copy

By 
Virginia Board of Nursing

FOR THE BOARD:


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

ENTERED: December 14th, 2015

This Order shall become final on January 16, 2016, unless a request for a formal administrative

hearing is received as described above.