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VA BD OF NURSING

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: NATALIE C. SMEELIE, R.N.
License No.: 0001-239316**

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Natalie C. Smeelie, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Smeelie's license to practice professional nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Natalie Smeelie, R.N., was issued license number 0001-239316 by the Board to practice nursing in the Commonwealth of Virginia on July 17, 2012. Said license is set to expire on August 31, 2015. Her primary state of residence is Virginia.
2. During her employment in the Emergency Department of Virginia Hospital Center, Arlington, Virginia, Ms. Smeelie diverted narcotics from the Pyxis Medstation for her own personal and unauthorized use between January and March, 2013.
3. Ms. Smeelie entered into a contract with the Health Practitioners' Monitoring Program ("HPMP") on May 31, 2013. She was dismissed from the HPMP on November 18, 2013, for non-compliance with her program contract, including testing positive for alcohol on July 26, 2013, and August 19, 2013, and testing positive for morphine on September 5, 2013.
4. Ms. Smeelie voluntarily re-entered the HPMP and signed a Participation Contract on February 16, 2014. In a letter dated April 11, 2014, from The Farley Center at Williamsburg Place, Donald Costigan, LCSW, ACSW, reported that Ms. Smeelie had successfully completed 33 days in the residential program for professionals and a six week intensive outpatient program, where she had numerous negative drug screens

and breathalyzers. Mr. Costigan also stated that, “based on her current participation and sincere approach I am optimistic about her continued success in recovery. Ms. Smeelie’s deliberate attitude is to make changes in her life and begin living life on life’s own terms.”

5. In a letter dated April 1, 2014, Ms. Smeelie’s HPMP case manager reported that Ms. Smeelie is in compliance with the Recovery Monitoring Contract signed on March 24, 2014.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 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.

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

CONSENT

Natalie Smeelie, 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, and is represented by Eileen M. Talamante, Esquire and Michael L. Goodman, Esquire;

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 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 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 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. Natalie Smeelie, R.N., is hereby REPRIMANDED.
2. The Board will TAKE NO FURTHER ACTION contingent upon Ms. Smeelie's continued compliance with the HPMP for the time period specified by the HPMP.
3. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Natalie Smeelie, R.N., and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Smeelie shall be noticed to appear before the Board at such time as the Board is notified that:
 - a. Ms. Smeelie 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. Smeelie involving a violation of law or regulation or any term or condition of this Order; or
 - c. Ms. Smeelie has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Smeelie's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Smeelie's appearance before the Board and conduct an administrative review of this matter.
4. This Order is applicable to Ms. Smeelie's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Smeelie 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 she wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

5. Ms. Smeelie 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.

FOR THE BOARD:

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

ENTERED: July 22nd, 2014

SEEN AND AGREED TO:

Natalie C. Smeelie, RN
Natalie C. Smeelie, R.N.

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

Subscribed and sworn to before me, Martha B. Staton a Notary Public, this 11 day of July, 2014.

My commission expires January 31, 2018.

Registration Number 321292

MARTHA B. STATON
NOTARY PUBLIC
REGISTRATION # 321292
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
JANUARY 31, 2018

Martha B. Staton
NOTARY PUBLIC