

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: BARBARA VAUGHN, R.N.

CONSENT ORDER

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

FINDINGS OF FACT

1. Barbara Vaughn, R.N., was issued License No. 0001-143780 to practice professional nursing by the Virginia Board of Nursing on June 28, 1995. Said license is set to expire on February 28, 2009.
2. By her own admission, during the course of her employment with University of Virginia Medical Center, Charlottesville, Virginia, from January 2001 through June of 2001, Ms. Vaughn began diverting oxycodone, Ritalin (methylphenidate), morphine, meperidine, and hydromorphone (all Schedule II drugs) for her own personal and unauthorized use. On June 29, 2001, Ms. Vaughn signed a participation contract with the Health Practitioners' Intervention Program ("HPIP"). On August 17, 2001, the HPIP Committee granted Ms. Vaughn's request for a stay of disciplinary action, so long as she comply with the HPIP contract requirements. Following, Ms. Vaughn signed a Recovery Monitoring Contract ("RMC") on August 27, 2001.
3. By her own admission, Ms. Vaughn used someone else's Tylenol 3 for back pain; subsequently Ms. Vaughn tested positive for codeine on March 24, 2005, during a routine urine drug screen. By her own admission, Ms. Vaughn took 6-8 tablets of propoxyphene over a 2-day period; subsequently Ms. Vaughn tested positive for propoxyphene on August 29, 2005 during a routine urine drug screen. As a result of these positive screens, Ms. Vaughn's Stay of Disciplinary Action was vacated and HPIP recommended

that she continue in the HPIP for continued monitoring. Ms. Vaughn was approved and began working at the University of Virginia Medical Center on November 21, 2005. As of September 8, 2006, Ms. Vaughn's HPIP Case Manager indicated that she was currently doing well and was active in her recovery.

CONCLUSIONS OF LAW

Findings of Fact 2 and 3 constitute a violation of § 54.1-3007(2), (5) and (6) of the Code of Virginia (1950), as amended ("Code"), and 18 VAC 90-20-300(2)(c) of the Regulations Governing the Practice of Nursing.

CONSENT

Barbara Vaughn, by affixing her signature hereon, agrees to the following:

1. Ms. Vaughn has been advised to seek advice of counsel prior to signing this document;
2. Ms. Vaughn 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. Ms. Vaughn 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. Ms. Vaughn waives all such right to an informal conference;
5. Ms. Vaughn admits to the Findings of Fact contained herein and waives her right to contest such Findings of Fact in any subsequent proceeding before the Board;
6. Ms. Vaughn 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 that it shall TAKE NO ACTION at this time contingent expressly on Ms. Vaughn's continued compliance with the following terms and conditions:

1. Ms. Vaughn shall comply with all terms and conditions of her Recovery Monitoring Contract with HPIP 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. Vaughn, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Vaughn shall be noticed to appear before the Board at such time as the Board is notified that:

a. Ms. Vaughn is not in compliance with the terms and conditions of the HPIP, or has been terminated from participation in the HPIP;

c. There is a pending investigation or unresolved allegation against Ms. Vaughn involving a violation of law or regulation or any term or condition of this Order; or

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

3. Ms. Vaughn 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, R.N., M.S.M., C.S.A.C.
Executive Director, Virginia Board of Nursing

ENTERED: January 25th, 2008

SEEN AND AGREED TO:

Barbara L. Vaughn, R.N.
Barbara L. Vaughn, R.N.

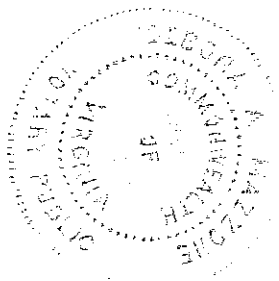
Certified True Copy
By dpaham
Virginia Board of Nursing

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

Subscribed and sworn to before me, Deborah A. Mazzoni, a Notary Public, this 18 day of January, ~~2007~~ 2008.

My commission expires January 31, 2011.

Registration Number 100774.



Deborah A. Mazzoni
NOTARY PUBLIC

VA BOARD OF NURSING