

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: JENNIFER SAYWARD, R.N. APPLICANT

ORDER

In accordance with §§ 2.2-4019, 2.2-4021, and 54.1-2400(7) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted by a committee of two members of the Board of Nursing ("Board") on August 13, 2012 in Henrico County, Virginia, to consider the application of Jennifer Sayward for licensure by endorsement as a professional nurse and to inquire into evidence that she may have violated certain laws and regulations governing professional nursing practice in Virginia. Ms. Sayward was present and was not represented by legal counsel. The Informal Conference Committee ("Committee") submitted a Recommended Decision for consideration.

On September 11, 2012, the Board met to receive and act upon the Recommended Decision of the Committee. Ms. Sayward was not present and was not represented by legal counsel.

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

FINDINGS OF FACT

1. Jennifer Sayward submitted an application for licensure by endorsement as a professional nurse on February 27, 2012. Virginia is her primary state of residence. Ms. Sayward was issued License No. R46062 by the Connecticut Department of Public Health in 1989. Said license is currently expired.

2. By letter dated July 11, 2012, the Board sent a Notice of Informal Conference to Ms. Sayward notifying her that an informal conference would be held on August 13, 2012. The notice was sent by certified and first class mail to 14 Ellsworth Lane, Ellington, Connecticut 06029, the address of record on file with

the Board. The Notice was also sent by certified and first-class mail to 4474 Cherrywood Lane, Virginia Beach, Virginia 23453.

3. On December 21, 2011, Ms. Sayward's license to practice professional nursing in the State of Connecticut was placed on probation with terms for a period of four years by order of the Connecticut Board of Nursing Examiners ("Connecticut Board") and the Connecticut Department of Health ("Connecticut Department"). This action was based upon a finding that during the course of her employment with Rockville General Hospital, Vernon, Connecticut, Ms. Sayward diverted Percocet (oxycodone and acetaminophen, Schedule II) by various methods in 2010 for her own personal and unauthorized use.

4. On April 4, 2012, the Connecticut Board and the Connecticut Department accepted the voluntary surrender of Ms. Sayward's Connecticut license to practice as a professional nurse.

5. Ms. Sayward participated in the intensive outpatient program and counseling through New Directions, Enfield, Connecticut, from September 2010 through March 2011. Her weekly urine drug screens were negative for opiates through her last screen in March 2012; however, Ms. Sayward stated at the informal conference that she had a positive screen for alcohol during that time.

6. At the informal conference, Ms. Sayward stated that her sobriety date is January 2011.

CONCLUSIONS OF LAW

The Board concludes that:

1. Findings of Fact Nos. 3 and 4 constitute a violation of §54.1-3007(2) and (7) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing.
2. Findings of Fact Nos. 3 and 5 constitute a violation of §54.1-3007(6) of the Code.
3. Ms. Sayward otherwise meets the qualifications of §54.1-3018 of the Code.

ORDER

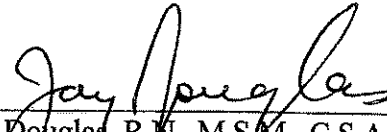
WHEREFORE, it is hereby ORDERED that the application of Jennifer Sayward for licensure by endorsement as a professional nurse is APPROVED, subject to the following conditions.

1. Upon proof of entry into the Health Practitioners' Monitoring Program ("HPMP"), Ms. Sayward shall be issued a license to practice as a professional nurse in the Commonwealth marked "Valid in Virginia Only." Thereafter, Ms. Sayward shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.
2. Ms. Sayward 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.
3. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. Sayward and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked. Ms. Sayward shall be noticed to appear before the Board at such time as the Board is notified that:
 - a. Ms. Sayward 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. Sayward involving a violation of law or regulation or any term or condition of this Order; or
 - c. Ms. Sayward has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Sayward's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Sayward's appearance before the Board and conduct an administrative review of this matter.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Sayward may, not later than 5:00 p.m., on **October 23, 2012**, notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., 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.

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.

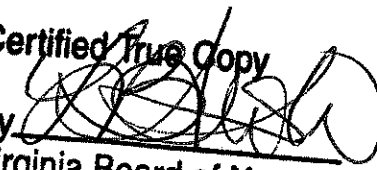
FOR THE BOARD



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

Entered: September 21ST, 2012

This Order shall become final on **October 23, 2012**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 
Virginia Board of Nursing