

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: LORA C. SCHWARZ, R.N.
License No.: 0001-111738

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on September 17, 2015, in Henrico County, Virginia, to inquire into evidence that Lora C. Schwarz, R.N., may have violated certain laws governing professional nursing practice in Virginia. The case was presented by Emily E. Tatum, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Schwarz was present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

COMMONWEALTH'S PROPOSED FINDINGS OF FACT

1. Lora C. Schwarz, R.N., was issued License No. 0001-111738 to practice professional nursing in the Commonwealth of Virginia on August 23, 1988. Said license is set to expire on July 31, 2017. Ms. Schwarz's primary state of residence is Virginia.
2. On February 15, 2014, during the course of her employment with West Neck Intermediate Care Facility, Virginia Beach, Virginia, Ms. Schwarz, the on-call nurse supervisor at the time, advised an on-duty registered nurse to insert a Foley catheter into a resident without a physician's order.
3. Ms. Schwarz testified that she did not order the nurse to place a catheter, but the evidence did reveal that she recommended and advised the catheterization. She told the Board that she believed she could have a Foley catheter placed without a physician's order in a situation that she assessed to be

emergent based on minimal information she received from the on-duty nurse by telephone. However, Ms. Schwarz never contacted the physician regarding the patient's condition and never received the order. She told the Board she did not need the order from the primary care physician because the patient went to the emergency room.

COMMONWEALTH'S PROPOSED CONCLUSIONS OF LAW

Finding of Fact No. 2 constitutes a violation of § 54.1-3007 (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(a) of the Regulations Governing the Practice of Nursing.

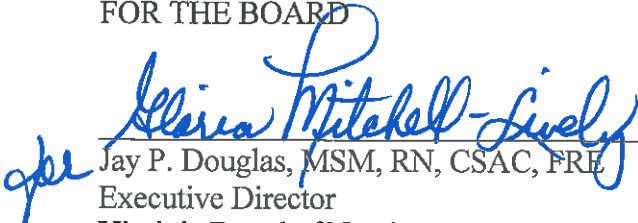
ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. Lora C. Schwarz, R.N., is hereby REPRIMANDED.
2. Ms. Schwarz shall provide the Board with verification that she has completed the following NCSBN online courses within 60 days of the entry of this Order: Professional Accountability and Legal Liability for Nurses; Ethics of Nursing Practice; and Nurse Practice Act for Virginia. These courses shall not be credited toward the continued competency requirements for the next renewal of her license.
3. Ms. Schwarz 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.
4. 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 Lora C. Schwarz, R.N., and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

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 on request.

FOR THE BOARD

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Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

October 1, 2015

ENTERED

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.