

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: TAMMY M. WALTON, R.N.
License No.: 0001-150586

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 14, 2015, in Henrico County, Virginia, to inquire into evidence that Tammy M. Walton, R.N., may have violated certain laws governing professional nursing practice in Virginia and to inquire into evidence that Ms. Walton may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board entered on June 3, 2014. The case was presented by Tammie D. Jones, Adjudication Specialist, Administrative Proceedings Division. James E. Rutkowski, Assistant Attorney General, was present as legal counsel for the Board. Ms. Walton was not 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.

FINDINGS OF FACT

1. Tammy M. Walton, R.N., was issued License No. 0001-150586 to practice professional nursing in the Commonwealth of Virginia on September 5, 1996. Said license expires on September 30, 2015. Her primary state of residence is Virginia.
2. Based upon the representations of Tammie D. Jones and Commonwealth's Exhibit #1, the Notice of Formal Hearing and Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in her absence.
3. Pursuant to an Order of the Board entered on June 3, 2014 ("Board's Order"), Ms. Walton was placed on indefinite probation for not less than two years, with terms and conditions. Said action was

based on findings that on multiple occasions, Ms. Walton failed to follow physicians' orders pertaining to patient medications. She also reported to work under the influence of alcohol, acknowledged having a history of alcohol abuse and falsified several employment applications.

4. Ms. Walton failed to notify the Board in writing within 10 days of her termination from Fluvanna Correctional Center on July 23, 2014, as required.

5. Ms. Walton failed to have an evaluation by a mental health/chemical dependency specialist within 45 days of the date of entry of the Order and comply with any recommendations of the specialist, in that she did not have the evaluation until August 13, 2014. Further, Ms. Walton failed to comply with the specialist's recommendation to participate in an intensive outpatient substance abuse treatment program.

6. On August 13, 2014, during the mental health/chemical dependency evaluation, Ms. Walton tested positive for benzodiazepines, for which she did not have a valid prescription.

7. Ms. Walton failed to undergo monthly supervised, unannounced random drug screens for the first six months of probation and quarterly drug screens thereafter, as required.

8. Ms. Walton failed to submit quarterly self-reports as required.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 4 constitutes a violation of Term No. 2(b) of the Board's Order.
2. Finding of Fact No. 5 constitutes a violation of Term No. 2(f) of the Board's Order.
3. Finding of Fact No. 6 constitutes a violation of § 54.1-3007(6) of the Code and Term No. 2(g) of the Board's Order.
4. Finding of Fact No. 7 constitutes a violation of Term No. 2(h) of the Board's Order.
5. Finding of Fact No. 8 constitutes a violation of Term No. 2(j) of the Board's Order.

ORDER

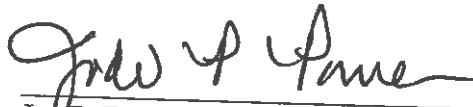
WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as

follows:

1. Tammy M. Walton, R.N., is hereby REPRIMANDED.
2. License No. 0001-150586 issued to Tammy M. Walton, R.N., to practice professional nursing in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED for a period of not less than two years.
3. The license of Ms. Walton will be recorded as SUSPENDED and no longer current. Should Ms. Walton seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license prior to issuance of her license to resume practice.
4. At such time as Ms. Walton shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of professional nursing.
5. This Order shall be applicable to Ms. Walton's multistate licensure privileges, if any, to practice professional nursing.


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



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

September 30, 2015
ENTERED

Certified True Copy
By 

Virginia Board Of Nursing

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.