

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

GINGER SHORT BEATLEY, R.N.

CONSENT ORDER

Pursuant to § 9-6.14:11, § 54.1-2400(10) and § 54.1-3010 of the Code of Virginia (1950), as amended (the "Code"), an informal conference was held before a Special Conference Committee of the Board of Nursing (the "Committee") on February 13, 2001, in Henrico County, Virginia, to receive and act upon evidence that Ginger Short Beatley, R.N., a.k.a. Ginger Parsons Short, may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Beatley was present and was not represented by counsel.

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

FINDINGS OF FACT

1. Ginger Short Beatley, R.N., holds License No. 0001-153474 issued by the Virginia Board of Nursing.
2. During the course of Ms. Beatley's employment with Warren Memorial Hospital, Front Royal, Virginia:
 - a) By her own admission, on approximately ten (10) to twelve (12) occasions, for approximately eight (8) weeks prior to July 19, 1999, she diverted various amounts of several schedule II controlled substances, to include Demerol (meperidine), Morphine (morphine sulfate), and Dilaudid (hydromorphone hydrochloride) for your personal and unauthorized use. She obtained this medication by keeping wasted medication, and signing out more medication than was needed or ordered for patients.

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- b) On or about February 26, 1999, Ms. Beatley received a Corrective Action Report regarding excessive absenteeism.
 - c) On or about July 27, 1998, Ms. Beatley received a Corrective Action Report regarding her being sleepy while working, and causing a patient to receive a second dose of medication she had previously administered. The patient required medication to counter-act the effects of the second, unneeded, dose. Ms. Beatley was referred to the employee assistance program (EAP).
3. On or about August 5, 1999, Ms. Beatley entered into a Participation Contract with the Health Practitioners' Intervention Program ("HPIP"), pursuant to Chapter 25.1 of Title 54.1 of the Code of Virginia (1950), as amended, and 18 VAC 76-10-10, et. seq., of the Regulations Governing the Health Practitioners' Intervention Program, with the understanding that the program is to assist those persons who have an impairment, defined as "a physical or mental disability, including, but not limited to substance abuse, that substantially alters the ability of a practitioner to practice his profession with safety to his patients and the public." During August 1999, Ms. Beatley was placed on probation by Virginia Monitoring, Inc., Hampton, Virginia, for failure to follow treatment recommendations, specifically, for leaving Harrison House and going home on a weekend when it was forbidden. On or about April 14, 2000, Ms. Beatley was granted a stay of disciplinary action by the Health Practitioner's Intervention Program Committee. On November 3, 2000, this stay was vacated, and she was dismissed from the Health Practitioners' Intervention Program ("HPIP"), based on her continued use of unauthorized drugs or alcohol, and her failure: to return a signed Recovery Monitoring Contract, to attend recovery support group meetings, to call for or submit to urine drug screens, to respond to telephone messages and written correspondence regarding non-compliance, and to send in

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monthly self reports.

4. During the informal conference, Ms. Beatley reported that she had been placed on probation by the Circuit Court of Warren County, Virginia. She reported she was charged with felony “misuse of a prescription drug” and that the case had been taken under advisement until July 2, 2001.

CONCLUSIONS OF LAW

Based upon Findings of Fact Nos. 2 through 3, the Committee concludes that Ginger Short Beatley, R.N., has violated § 54.1-3007(2), (5) and (6) of the Code of Virginia (1950), as amended, and 18 VAC 90-20-300(A)(2)(c) of the Regulations of the Board of Nursing.

CONSENT

Ginger Short Beatley, R.N., by affixing her signature hereon, agrees to the following:

1. Ms. Beatley acknowledges that she has been specifically advised to seek advice of counsel prior to signing this document;
2. Ms. Beatley acknowledges that she is fully aware that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 9-6.14:1, et seq., of the Code;
3. Ms. Beatley acknowledges that she has the following rights among others: the right to a formal fact finding hearing before the Board, to reasonable notice of said hearing, to representation by counsel, and the right to cross examine witnesses against her;
4. Ms. Beatley waives all such right to a formal hearing;
5. Ms. Beatley admits to the above Findings of Fact;
6. Ms. Beatley consents to the entry of the following Order affecting her practice as a professional nurse in the Commonwealth of Virginia.

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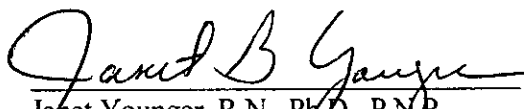
ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Consent Order, and in lieu of further proceedings, hereby ORDERS that License No. 0001-153474, issued to Ginger Short Beatley, R.N., be and hereby is INDEFINITELY SUSPENDED. At such time as she shall petition the Board for reinstatement of her license, a hearing will be convened to receive evidence satisfactory to the Board that she is capable of resuming the safe and competent practice of nursing.

Pursuant to § 9-6.14:14 of the Code of Virginia (1950), as amended, the signed original of this Consent 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.

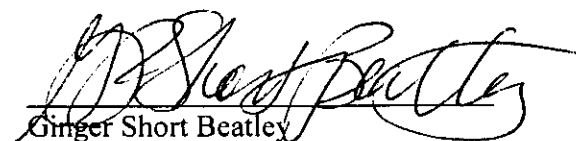
Upon entry of this Consent Order, the license of Ginger Short Beatley, R.N., will be recorded as indefinitely suspended and no longer current. Consistent with the terms of this Consent Order, in the event that Ms. Beatley seeks reinstatement of her license, she shall be responsible for any fees that may be required for the reinstatement and renewal of her license prior to issuance of her license to resume practice.

FOR THE BOARD


Janet Younger, R.N., Ph.D., P.N.P.
President

ENTERED: March 20, 2001

SEEN AND AGREED TO:


Ginger Short Beatley

GINGER SHORT BEATLEY, R.N.

COMMONWEALTH OF VIRGINIA,

COUNTY/CITY OF FREDERICK, TO WIT:

Subscribed and sworn to before me, KRISTIE L. PETERSON a Notary Public, this 9TH
day of MARCH, ~~199~~²⁰⁰¹.

My commission expires the 31st day of AUGUST, ~~19~~²⁰⁰¹.


Kristie L. Peterson
NOTARY PUBLIC