

Certified True Copy

By [Signature]
Virginia Board of Nursing



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367-4400
FAX (804) 527-4475

September 11, 2015

Amanda Rochelle Adams-Scruggs
2320 Locks Landing
Chesapeake, VA 23323

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL

RE: License No.: 0002-090089

DATE 9/11/15

Dear Ms. Adams-Scruggs:

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your license to practice nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered September 11, 2015. You are hereby advised that, pursuant to Section 54.1-2409.1 of the Code, any person who practices a profession or occupation after having their license or certificate to do so suspended shall be guilty of a felony. Please return your license to Jay P. Douglas, Executive Director of the Virginia Board of Nursing, at the above address, immediately upon receipt of this letter.

Section 54.1-2409 of the Code further provides that you may apply to the Board of Nursing ("Board") for reinstatement of your license, and shall be entitled to a hearing not later than the next regular meeting of the Board after the expiration of sixty days from the receipt of such reinstatement application. You have the following rights, among others: to be represented by legal counsel, to have witnesses subpoenaed on your behalf, to present documentary evidence and to cross-examine adverse witnesses. The reinstatement of your license shall require the affirmative vote of three-fourths of the members present of the Board of Nursing.

Should you wish to petition the Board of Nursing for reinstatement of your license, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4599.

Sincerely,

David E. Brown, D.C., Director
Department of Health Professions

RECEIVED

SEP 11 2015

VA BD OF NURSING

cc: Alex Scarbrough Fisher, Esquire

Enclosures

Case # 169175

Board of Audiology & Speech-Language Pathology – Board of Counseling – Board of Dentistry – Board of Funeral Directors & Embalmers
Board of Long-Term Care Administrators – Board of Medicine – Board of Nursing – Board of Optometry – Board of Pharmacy
Board of Physical Therapy – Board of Psychology – Board of Social Work – Board of Veterinary Medicine
Board of Health Professions

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: **AMANDA ROCHELLE ADAMS-SCRUGGS, L.P.N.
 License No.: 0002-090089**

ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that, by a Final Order entered on August 6, 2015, the Tennessee Board of Nursing accepted the voluntary surrender, in lieu of further disciplinary action, of the privilege of Amanda Rochelle Adams-Scruggs, L.P.N., to practice nursing through the Nurse Licensure Compact in the State of Tennessee. Said voluntary surrender to have the same effect as a revocation. A certified copy of the Final Order is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the license of Amanda Rochelle Adams-Scruggs, L.P.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Amanda Rochelle Adams-Scruggs, L.P.N., will be recorded as suspended. Should Ms. Adams-Scruggs seek reinstatement of her license pursuant to Section 54.1-2409 of the Code, 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.

Pursuant to Sections 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 a public record and shall be made available for public inspection and copying upon request.



David E. Brown, D.C., Director
Department of Health Professions

ENTERED: 9/11/15



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director


Department of Health Professions

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CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Final Order entered on August 6, 2015, regarding Amanda Rochelle Adams-Scruggs, L.P.N., is a true copy of the records received from the Tennessee Board of Nursing.



David E. Brown, D.C.

Date: 9/11/15

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SECRETARY OF STATE

BEFORE THE TENNESSEE BOARD OF NURSING

In the Matter of:)
AMANDA ADAMS-SCRUGGS (HAMIL))
Virginia L.P.N. License No. 0002090089)
Mississippi L.P.N. License No. P325746)
Respondent)

Docket No. 17.19-130515J

AGREED ORDER

The State of Tennessee, by and through the Office of General Counsel and the Respondent, Amanda Adams-Scruggs (Hamil), L.P.N., (Respondent), hereby stipulate and agree, subject to approval by the Tennessee Board of Nursing (Board), to the following:

I. Authority and Jurisdiction

The Board regulates and supervises nurses licensed to practice pursuant to Tennessee Code Annotated Section (TENN. CODE ANN. § 63-7-101, *et seq.* (Code), including the discipline of licensees, as well as those who are required to be licensed, who violate the Code and the Rules promulgated by the Board, Official Compilation of Rules and Regulations of the State of Tennessee (TENN. COMP. R. & REGS.), 1000-02-.01, *et seq.* (Rules). The Board enforces the Code and Rules to promote and protect the health, safety and welfare of the public; accordingly, it is the policy of the Board to require strict compliance with the law and to apply the law to preserve the quality of nursing care provided in Tennessee.

Tennessee is a party state to the Interstate Nurse Licensure Compact. Pursuant to Tenn. Code Ann. §63-7-302 Article III (b), "Party states may, in accordance with state due process laws, limit or revoke the multistate licensure privilege of any nurse to practice in their state and may take any other actions under their applicable state laws necessary to protect the health and safety of their citizens." A party state may recover the costs of investigations and disposition of cases resulting from adverse action taken against the nurse and may issue cease and desist orders



to limit or revoke a nurse's authority to practice in their state. Tenn. Code Ann. §63-7-302 Article VI (a) and (c).

II. Stipulations of Fact

1. Respondent's name at the time acts complained of were committed was Amanda Adams-Scruggs. Since that time, Respondent married and her name is now Amanda Hamil.
2. Respondent is currently licensed by the Virginia Board of Nursing as a practical nurse, having been granted license number 0002090089 on November 27, 2013. The license is active with an expiration date of December 31, 2016. Respondent's Virginia practical nurse license bears a multistate privilege to practice nursing in states which have entered into the Interstate Nurse Licensure Compact.
3. At the time of the events described below Respondent was licensed by the Mississippi Board of Nursing as a practical nurse, having been granted license number P325746 on October 6, 2010. The license expired on December 31, 2013. Respondent's Mississippi practical license was active until its expiration and bore a multistate privilege to practice nursing in states which have entered into the Interstate Nurse Licensure Compact.
4. Respondent was employed at The Gardens of Germantown Assisted Living Facility in Germantown, Tennessee in July 2013.
5. Respondent was randomly drug tested on or about July 25, 2013. The test resulted positive for benzodiazepine, methadone, and oxycodone.
6. Respondent's employment was terminated for a violation of the company's substance or alcohol abuse guidelines.
7. Respondent produced evidence of an alprazolam prescription after the commencement of this action. Alprazolam is a benzodiazepine.
8. Respondent took methodone and oxycodone not prescribed to her.

III. Stipulated Grounds for Discipline

The Stipulations of Fact are sufficient to establish that Respondent has violated TENN. CODE ANN. §63-7-101, *et seq.*, for which disciplinary action by the Board is authorized.

9. The facts stipulated in paragraphs five (5) and eight (8) constitute a violation of TENN. CODE ANN. §63-7-115(a)(1):
 - (F) Is guilty of unprofessional conduct.

IV. Stipulated Disposition

10. For the purpose of avoiding further administrative action with respect to this cause, Respondent agrees to **VOLUNTARILY SURRENDER** her privilege to practice nursing in the State of Tennessee, beginning the effective date of this Order. Respondent understands a voluntary surrender has the same effect as a revocation.
11. Each condition of discipline herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

V. Representations of Respondent

12. Respondent understands and admits the allegations, charges, and stipulations in this Order.
13. Respondent understands the rights found in the Code, Rules, and the Uniform Administrative Procedures Act, TENN. CODE ANN. §§4-5-101 thru 4-5-404, including the right to a hearing, the right to appear personally and by legal counsel, the right to confront and to cross-examine witnesses who would testify against Respondent, the right to testify and to present evidence on Respondent's own behalf, as well as to the issuance

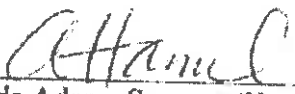
of subpoenas to compel the attendance of witnesses and the production of documents, as well as the right to appeal for judicial review. Respondent voluntarily waives these rights in order to avoid further administrative action.

14. Respondent agrees presentation of this Order to the Board and the Board's consideration of it and all matters divulged during that process shall not constitute unfair disclosure such that the Board or any of its members become prejudiced requiring their disqualification from hearing this matter should this Order not be ratified. All matters, admissions, and statements disclosed during the attempted ratification process shall not be used against Respondent in any subsequent proceeding unless independently entered into evidence or introduced as admissions.
15. Respondent also agrees the Board may issue this Order without further process. If the Board rejects this Order for any reason, it will be of no force or effect for either party.
16. Respondent agrees she did not receive any threats or promises of any kind by the State or any agent or representative thereof, except such as is detailed herein.

VI. Notice

17. The surrender of the privilege is a formal disciplinary action and will be reported to the National Practitioner Data Bank (NPDB).
18. A violation of this Order shall constitute a separate violation, pursuant to Tenn. Code Ann. §63-7-115(a)(1)(G), and is grounds for further disciplinary action by the Board.

APPROVED FOR ENTRY:



Amanda Adams-Scruggs (Hamil)
Virginia L.P.N. License No. 0002090089
Mississippi L.P.N. License No. P325746
Respondent



DATE

Alex S. Fisher

Alex Scarbrough Fisher (BPR # 031391)
Thompson Burton, PLLC
Attorney for Amanda Adams-Scruggs
One Franklin Park
6100 Tower Circle, Suite #200
Franklin, TN 37067
615.465.6006

7/20/15
DATE

Jamie L. Formont

Jamie L. Formont (BPR # 031662)
Assistant General Counsel
Tennessee Department of Health
Office of General Counsel
665 Mainstream Drive, Second Floor
Nashville, TN 37243
615.741.1611

7/20/15
DATE

Approval by the Board

Upon the agreement of the parties and the record as a whole, this **AGREED ORDER** was approved as a **FINAL ORDER** by a majority of a quorum of the Tennessee Board of Nursing at a public meeting of the Board and signed this 17th day of August, 2015.


ACCORDINGLY, IT IS ORDERED that the agreements of the parties will, and hereby do, become the Final Order of the Board.



Chairperson/Acting Chairperson
Tennessee Board of Nursing

CERTIFICATE OF FILING

This Order was received for filing in the Office of the Secretary of State, Administrative Procedures Division, and became effective on the 10th day of August, 2015.

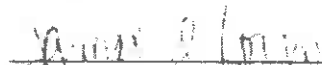


Richard Collier, Director LMC
Administrative Procedures Division

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document has been served upon the Respondent by and through her counsel, Alex Scarbrough Fisher, Thompson Burton PLLC at One Franklin Park; 6100 Tower Circle, Suite #200; Franklin, TN 37067 by United States mail with sufficient postage thereon to reach its destination.

This 17th day of August, 2015.



Jamie L. Formont
Assistant General Counsel