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VIRGINIA:

BEFORE THE BOARD OF NURSING VA BD OF NURSING

IN RE: NANCY JEAN SWICK, R.N. APPLICANT 0001-261047
Case No.: 161967

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Nancy Jean Swick, as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Swick's application for licensure by endorsement to practice professional nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Nancy Jean Swick was issued License No. 0024-169570 to practice as a nurse practitioner by the Virginia Committee of the Joint Boards of Nursing and Medicine ("Committee of the Joint Boards") on August 2, 2011. Ms. Swick was issued Prescriptive Authority No. 0017-140296 by the Committee of the Joint Boards on November 14, 2011. Said license and prescriptive authority expired on April 30, 2014.
2. By Order of the Committee of the Joint Boards entered September 17, 2014, Ms. Swick's right to renew said license and prescriptive authority were indefinitely suspended. Said suspension was stayed upon proof of entry into the Health Practitioners' Monitoring Program ("HPMP"), or similar monitoring program in Pennsylvania, and her compliance with the terms and conditions of the program.
3. Ms. Swick currently holds active licenses to work as a registered nurse and as a nurse practitioner in Maryland and Pennsylvania. Ms. Swick's primary state of residence is Pennsylvania.
4. By Order of the State Board of Nursing of the Commonwealth of Pennsylvania dated October 23, 2014, Ms. Swick's licenses to practice as a certified registered nurse practitioner and as a registered nurse in the Commonwealth of Pennsylvania were suspended, which suspension was stayed in favor of three years'

probation subject to compliance with Pennsylvania's Professional Health Monitoring Programs ("PHMP"), Disciplinary Monitoring Unit ("DMU").

5. On January 5, 2015, the Board received from Ms. Swick an application for licensure by endorsement to practice professional nursing in the Commonwealth of Virginia.

6. Ms. Swick entered the PHMP, and by letter dated February 6, 2015, the PHMP informed Ms. Swick that she has her DMU case manager's permission to return to active practice as a certified registered nurse practitioner. Ms. Swick is currently in compliance with the terms of PHMP.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(6) of the Code of Virginia (1950), as amended ("Code").

2. Ms. Swick otherwise meets the requirements of § 54.1-3018 of the Code.

CONSENT

Nancy Jean Swick, by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;

2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;

3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;

4. She waives all such right to an informal conference;

5. She neither admits nor denies the Findings of Fact and Conclusions of Law contained herein but waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;

6. She consents to the entry of the following Order affecting her application for licensure to practice professional nursing in Virginia.

ORDER

WHEREFORE, it is hereby ORDERED that the application of Nancy Jean Swick for licensure by endorsement as a professional nurse is APPROVED. Ms. Swick shall be issued a license to practice as a professional nurse in the Commonwealth of Virginia under the following terms and conditions:

1. Ms. Swick shall remain in compliance with Pennsylvania's Professional Health Monitoring Programs ("PHMP") for the term specified by the PHMP and the Pennsylvania Board Order, or shall enter into the Virginia Health Practitioners' Monitoring Program ("HPMP") and shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.

2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Nancy Jean Swick, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Swick shall be noticed to appear before the Board at such time as the Board is notified that:

a. She is not in compliance with the terms and conditions of the PHMP or the HPMP, or has been terminated from participation in the PHMP or the HPMP;

c. There is a pending investigation or unresolved allegation against her involving a violation of law or regulation or any term or condition of this Order; or

d. She has successfully completed the above-referenced period of participation in the PHMP or the HPMP. However, upon receipt of evidence of Ms. Swick's participation in and compliance with the PHMP or the HPMP, the Board, at its discretion, may waive Ms. Swick's appearance before the Board and conduct an administrative review of this matter.

3. This Order is applicable to Nancy Jean Swick's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Swick shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where Ms. Swick wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

4. Ms. Swick 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.

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 upon request.

FOR THE BOARD

per *Alicia Mitchell-Sively*
Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director, Virginia Board of Nursing

ENTERED: *September 2, 2015*

SEEN AND AGREED TO:

Nancy Jean Swick
Nancy Jean Swick

Pennsylvania

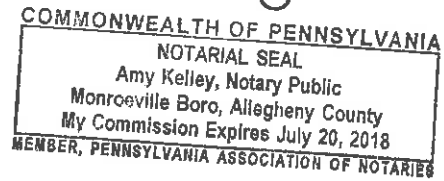
COMMONWEALTH OF ~~VIRGINIA~~,
COUNTY/CITY OF Allegheny, TO WIT:

Subscribed and sworn to before me, Amy Kelley, a Notary Public, this 14 day of August, 2015.

My commission expires July 20 2018.

Registration Number 1256991

Amy Kelley
NOTARY PUBLIC



Certified True Copy

By M. Baylor
Virginia Board of Nursing