

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

SUSAN BECK, R.N. REINSTATEMENT APPLICANT

License No.: 0001-133866

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), a Special Conference Committee ("Committee") of the Virginia Board of Nursing ("Board") met on August 7, 2012, in Henrico County, Virginia, to receive and act upon Susan Beck's application for reinstatement of her license to practice professional nursing in Virginia and to inquire into evidence that Ms. Beck may have violated certain laws and regulations governing professional nursing practice in Virginia. Ms. Beck was present and was not represented by legal counsel.

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

FINDINGS OF FACT

1. Susan Beck was issued License No. 0001-133866 to practice professional nursing in the Commonwealth of Virginia on September 15, 1993. Said license was suspended by Consent Order entered by the Board on March 23, 2004. By Order of the Board entered on July 28, 2009, the Board denied Ms. Beck's application for reinstatement of her license to practice professional nursing and continued her on indefinite suspension. Her primary state of residence is Virginia.
2. By letter dated July 10, 2012, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Beck notifying her that an informal conference would be held on August 7, 2012. The Notice was sent by certified and first class mail to 4104 Cary Street Road, Apt. #4, Richmond, Virginia 23221, the address of record on file with the Board of Nursing.
3. Ms. Beck submitted an application for reinstatement of her license to practice professional nursing, which was received by the Board on January 4, 2012.

4. On May 2, 2012, Ms. Beck signed a Participation Contract with the Health Practitioners' Monitoring Program in which she admitted that she may suffer from the disease of chemical abuse or mental illness based on her self-report of a history of chemical abuse and mental health issues. Ms. Beck entered into a Recovery Monitoring Contract with the HPMP on June 18, 2012. By letter dated August 6, 2012, her HPMP case manager indicated that she was in full compliance with her Recovery Monitoring Contract.

5. On February 24, 2012, Ms. Beck's psychiatrist stated to an investigator for the Department of Health Professions that she suffered from extreme anxiety and that she would need to return to nursing "part time, very slowly with a type of onsite monitor" and that she could not be in any "high intensity positions."

6. On January 27, 2012, Ms. Beck admitted to an investigator for the Department of Health Professions that she was hospitalized in 2010 with a cardiac condition brought on by her state of health secondary to her alcoholism.

7. On Ms. Beck's application for reinstatement of license as a registered nurse following suspension or revocation received by the Board on January 4, 2012, she answered "No" to the question "Do you have a mental, physical or chemical dependency condition which could interfere with your current ability to practice nursing?" when, in fact, Ms. Beck has a mental or chemical dependency condition which interferes with her current ability to practice nursing as evidenced above.

8. Ms. Beck stated that she has been attending Alcoholics Anonymous since January 2012 three times a week, but she does not have sponsor. Ms. Beck further stated that her date of sobriety is April 24, 2010. Ms. Beck also reported that she attends group therapy three times a week. Ms. Beck has not practiced as a professional nurse since 2002, and she stated that she needs to take a refresher course.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 4, 5, and 6 constitute a violation of § 54.1-3007(6) of the Code.
2. Findings of Fact No. 7 constitutes a violation of § 54.1-3007(1) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing.

3. The Committee concludes that Ms. Beck has otherwise demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. The license of Susan Beck to practice professional nursing in the Commonwealth of Virginia is hereby REINSTATED with a Virginia only license contingent upon Ms. Beck's continued compliance with the terms and conditions of the HPMP for the period specified by the HPMP.

2. Ms. Beck shall enroll in and successfully complete a Board-approved refresher course and shall not practice until she has provided written evidence to the Board of satisfactory completion of said course.

2. This order shall be applicable to Ms. Beck's multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Beck shall not work outside 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 she wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

3. Ms. Beck 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 stated in this Order shall be reason for revoking the license of Ms. Beck, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Beck 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 HPMP, or has been terminated from participation in the HPMP;


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


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

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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Beck may, not later than 5:00 p.m., on **October 1, 2012**, notify Jay P. Douglas, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:

Certified True Copy
By: 
Virginia Board of Nursing


So: Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director, Virginia Board of Nursing

ENTERED: August 28, 2012

This Order shall become final on **October 1, 2012**, unless a request for a formal administrative hearing is received as described above.