

RECEIVED
JUL 20 2015
VA BD OF NURSING

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: TRACIE C. HOWERTON, R.N.
License No.: 0001-129260

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Tracie C. Howerton, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Howerton's license to practice professional nursing in Virginia.

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

FINDINGS OF FACT

1. Tracie C. Howerton, R.N., was issued License No. 0001-129260 to practice professional nursing by the Virginia Board of Nursing on August 28, 1992. Said license is set to expire on June 30, 2016. Her primary state of residence is Virginia.
2. During the course of her employment as a professional nurse at Southside Regional Medical Center, Petersburg, Virginia, Ms. Howerton photographed a patient's amputated arm and, on July 9, 2014, sent the pictures to two individuals who were not authorized to have any information about the patient.
3. As a result of the incident, she resigned from her employment.

CONCLUSIONS OF LAW

The Board concludes that finding of Fact No. 2 constitutes a violation of § 54.1-3007(2) and (5) of the Code of Virginia (1950), as amended ("Code"), and 18 VAC-90-20-300(A)(2)(m) of the Regulations Governing the Practice of Nursing.

CONSENT

Tracie C. Howerton, R.N., 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 admits to the Findings of Fact and Conclusions of Law contained herein and 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 right to practice professional nursing in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. Tracie C. Howerton, R.N. is hereby REPRIMANDED.
2. Ms. Howerton 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

for Glenn Mitchell-Lively
Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director, Virginia Board of Nursing
ENTERED: July 24, 2015

SEEN AND AGREED TO:

Tracie C. Howerton, R.N.
Tracie C. Howerton, R.N.

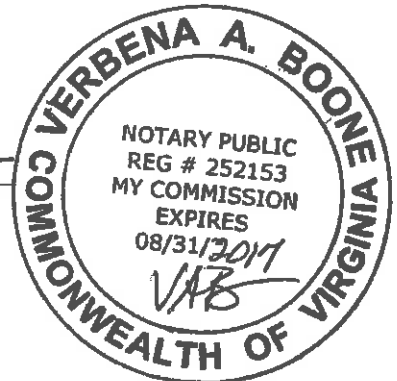
COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Hopewell, TO WIT:

Subscribed and sworn to before me, Tracie C. Howerton, a Notary Public, this 17th day of July, 2015.

My commission expires August 31, 2017.

Registration Number 252153

Verbena A. Boone
NOTARY PUBLIC



Certified True Copy
By [Signature]
Virginia Board of Nursing