

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:           STEPHANIE MILES, R.N.  
                  License No.: 0001-186542

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on November 8, 2011 in Henrico County, Virginia. Ms. Miles was present and was not represented by legal counsel. Jane Elliot, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 25, 2012, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Miles was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Stephanie Miles, R.N., was issued License No. 0001-186542 to practice professional nursing in Virginia on July 29, 2003. The license is scheduled to expire on December 31, 2012. Her primary state of residency is Virginia.
2. By letter dated October 14, 2011, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Miles notifying her that an informal conference would be held on November 8, 2011. The Notice was sent by certified and first class mail to P.O. Box 1111, Parksley, Virginia, 23421, the address of record on file with the Board of Nursing.

3. Ms. Miles was hospitalized at Virginia Beach Psychiatric Center, Virginia Beach, Virginia, from January 18-24, 2011, for treatment of depression and substance abuse.
4. Ms. Miles admitted at the informal conference that she diverted one Vicodin tablet from Shore Life Care in January 2011 and admitted to “dropping” oxycodone and hydrocodone tablets without documentation of wastage or administration of these medicines on other occasions. She resigned from that employment on April 12, 2011.
5. By her own admission, she consumed Percocet (oxycodone, Schedule II) and/or Vicodin (hydrocodone, Schedule III) while on duty at Shore Life Care, Parksley, Virginia. She admitted at the informal conference to using Vicodin prior to going to work on various occasions and now believes that she was impaired while on duty.
6. Ms. Miles had originally begun taking Vicodin (hydrocodone, Schedule III) for abdominal pain of unknown origin, prescribed by her primary care physician.
7. Ms. Miles entered the Health Practitioner Monitoring Program (“HPMP”) on April 22, 2011. She was on pre-dismissal status at that time because she missed an orientation and was dismissed on October 24, 2011, for missing a call and a drug screen.
8. Ms. Miles is currently attending counseling with Debra Olsen, C.A.D.C., at Eastern Shore Community Services Board. She is in compliance with her therapy as stated in a letter dated November 2, 2011, from her counselor. She stated at the informal conference that all of her urine drug screens have been negative and that she sees her psychiatrist every other month.
9. Ms. Miles’ sobriety date is January 24, 2011. She attends Narcotics Anonymous three to five times per week, has a sponsor, and is currently working through Step 4 of the program.
10. Ms. Miles is presently employed part-time at a bakery and also works part-time as a babysitter and housekeeper.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 3 and 5 constitute a violation of §54.1-3007 (6) of the Code.
2. Finding of Fact No. 4 constitutes a violation of §54.1-3007(2), (5), and (6) of the Code, and 18 VAC 90-20-300A(2)(c) of the Regulations Governing the Practice of Nursing.

ORDER

WHEREFORE, it is hereby ORDERED AS FOLLOWS:

1. The Committee shall TAKE NO ACTION at this time, contingent upon Stephanie Miles, R.N.'s compliance with the following terms and conditions:
  - a. Stephanie Miles, R.N., shall enter into the Health Practitioners' Monitoring Program ("HPMP"), pursuant to §54.1-2515 *et seq.* of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPMP, and shall have proof of entry into a Contract with the HPMP provided to the Board within 45 days of the date this Order is entered.
  - b. Thereafter, Ms. Miles shall comply with all terms and conditions of the Recovery Monitoring Contract ("Contract") with the HPMP for the period specified in the Contract.
2. This order shall be applicable to Ms. Miles' multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Miles 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. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Stephanie Miles, R.N., and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Miles shall be noticed to appear before the Board at such

time as the Board is notified that:

- a. Ms. Miles has failed to make application to the HPMP;
- b. Ms. Miles is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
- c. There is a pending investigation or unresolved allegation against Ms. Miles involving a violation of law or regulation or any term or condition of this Order; or
- d. Ms. Miles has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Miles' participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Miles' appearance before the Board and conduct an administrative review of this matter.

4. Stephanie Miles, R.N. 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 on request.

Pursuant to §54.1-2400(10) of the Code, Ms. Miles may, not later than 5:00 p.m., on March 13, 2012, notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that he/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 BOARD:

*Gloria Mitchell*  
for Jay P. Douglas, R.N., M.S.M., C.S.A.C.  
Executive Director  
Virginia Board of Nursing

ENTERED: February 9, 2012

This Order shall become final on March 13, 2012 unless a request for a formal administrative hearing is received as described above.

**Certified True Copy**

By *apraham*  
**Virginia Board of Nursing**