

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:**

**TRINIA FARIES, R.N.**

**CONSENT ORDER**

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

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

**FINDINGS OF FACT**

1. Trinia Faries, R.N. was issued License No. 0001-161097 to practice as a professional nurse by the Virginia Board of Nursing on August 31, 1998. Said license is set to expire on March 31, 2012.
2. During the course of her employment with Virginia Commonwealth University Medical Center, Richmond, Virginia, during the period of time from on or about December, 2009, to March, 2010, Ms. Faries diverted Schedule II medications for her personal and unauthorized use. Ms. Faries falsely recorded information in patient records in an attempt to prevent the discovery of the diversions.
3. While on duty on or about March 2, 2010, Ms. Faries appeared to be under the influence of medication. Ms. Faries submitted to a urine drug screen ordered by her employer, the results of which were positive for a Schedule II medication which had not been prescribed for Ms. Faries.

4. Ms. Faries voluntarily entered into a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") on March 16, 2010 and a Recovery Monitoring Contract on May 3, 2010, and is in compliance with all of the terms and conditions of those contracts.

#### **CONCLUSIONS OF LAW**

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2), (5), (6), and (8) of the Code of Virginia (1950), as amended, and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing.

2. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(5) and (6) of the Code of Virginia (1950), as amended.

#### **CONSENT**

Trinia Faries, 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 of Virginia;
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 the witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact contained herein and waives her right to contest such Findings of Fact 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. License No. 0001-161097, issued to Trinia Faries, R.N., to practice professional nursing in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED.

2. Having received proof of Ms. Faries entering into a participation contract with the the HPMP, the Board hereby STAYS the order of indefinite suspension and ORDERS that Ms. Faries' license to practice nursing shall be subject to the following terms and conditions:

a. Ms. Faries shall remain in compliance with the terms and conditions specified by the HPMP.

b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Ms. Faries and an administrative proceeding shall be held to decide whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time as the Board is notified that:

i) Ms. Faries is not in compliance with the terms and conditions specified by the HPMP, or has been terminated from participation in the HPMP, or

ii) There is a pending investigation or unresolved allegation against Ms. Faries involving a violation of the law, regulations, or any term or condition of this Order.

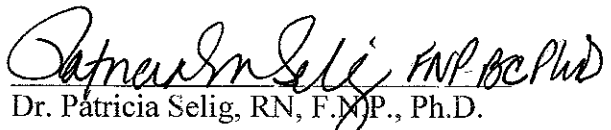
3. Ms. Faries shall be noticed to appear before a Special Conference Committee ("Committee") at such time as the Board is notified that Ms. Faries has successfully completed

the specified period of participation in the HPMP. However, upon receipt of evidence of Ms. Faries' participation in and compliance with the HPMP, the Committee, at its discretion, may waive Ms. Faries' appearance before the Committee, and conduct an administrative review of this matter.

This Order shall be applicable to Ms. Faries' multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. It is further ordered that for the duration of this Order, Ms. Faries may 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. Faries wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

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

  
Dr. Patricia Selig, RN, F.M.P., Ph.D.  
President, Virginia Board of Nursing

ENTERED: 9-14-10

SEEN AND AGREED TO:

Trinia Faries, R.N.  
Trinia Faries, R.N.

COMMONWEALTH OF VIRGINIA,  
COUNTY/CITY of Colonial Heights, TO-WIT:

Subscribed and sworn to before me, Babette B. Hansen, a Notary Public, this  
9<sup>th</sup> day of August, 2010.

My commission expires 12/31/13.

Registration Number 304761.

Babette B. Hansen  
Notary Public

