

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: CHRISTINA H. COOK, R.N.**

**CONSENT ORDER**

Pursuant to §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), an informal conference was held before a Special Conference Committee (“Committee”) of the Board of Nursing (“Board”) on October 18, 2010, in Henrico County, Virginia, to inquire into evidence that Christina H. Cook, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia. Ms. Cook 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. Christina H. Cook, R.N., was issued License No. 0001-212811 to practice professional nursing in the Commonwealth of Virginia on June 13, 2008. Said license expires on March 31, 2012. Ms. Cook was issued License No. 0002-068951 to practice practical nursing, which expired on March 31, 2010. Ms. Cook was issued Certificate No. 1401-082875 to practice as a nurse aide, which expired on June 30, 2004. Her primary state of residence is Virginia.
2. By letter dated September 14, 2010 the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Cook notifying her that an informal conference would be held on October 18, 2010. The Notice was sent by certified and first class mail to 1528 Moccasin Path Trail, Huddleston, Virginia 24104, the address of record on file with the Board of Nursing.
3. During the course of her employment with University of Virginia Health System, Charlottesville, Virginia, from November, 2009, to February 14, 2010, Ms. Cook diverted fentanyl (Schedule

II) for her personal and unauthorized use and self-administered the drug while on duty. Ms. Cook accomplished the diversion by signing out medication using patient names and documenting it as wasted. On at least one occasion, Ms. Cook falsely documented administering the medication. Also, on at least one occasion, she diverted fentanyl from an expired PCA bag on the medication cart and replaced it with saline. A drug screen was conducted on February 22, 2010, and Ms. Cook tested positive for fentanyl. Ms. Cook resigned from employment on February 26, 2010, while on administrative leave. No patient harm was reported as a result of the diversion and adulteration.

4. On August 31, 2010, Ms. Cook entered a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP"), in which she acknowledged having a substance abuse problem. In a report dated September 8, 2010, the HPMP stated that Ms. Cook is in compliance with her Recovery Monitoring Contract and that she was approved to return to practice effective August 31, 2010.

5. Ms. Cook reported that she is employed full-time in a billing position at Richfield Recovery and Care Center and that she does not have access to narcotics.

#### **CONCLUSIONS OF LAW**

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), (6) and (8) of the Code and 18 VAC 90-20-300(A)(2)(c), (e) and (f) of the Regulations Governing the Practice of Nursing.

2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code.

#### **CONSENT**

Christina H. Cook, 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 a formal fact finding hearing 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 a formal hearing;
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**

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

1. Christina H. Cook, R.N., is hereby REPRIMANDED.
2. License No. 0001-212811 of Christina H. Cook, R.N., is INDEFINITELY SUSPENDED.
3. The right of Christina H. Cook, R.N., to renew License No. 0002-068951 to practice practical nursing in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED
4. The license will be recorded as suspended and no longer current.
5. At such time as Ms. Cook shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Cook shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.
6. This suspension applies to any multistate privilege to practice professional nursing.
7. This suspension shall be STAYED upon continued compliance with a Recovery Monitoring Contract with the HPMP, and the following terms and conditions shall apply:

a. Ms. Cook shall comply with all terms and conditions for the period 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 Christina H. Cook, R.N., and an administrative proceeding shall be held to determine whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:

i. Ms. Cook is not in compliance with the terms and conditions specified by the HPMP;

ii. Ms. Cook's participation in the HPMP has been terminated;

iii. There is a pending investigation or unresolved allegation against Ms. Cook involving a violation of law, regulation, or any term or condition of this order; or

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

8. This order shall be applicable to Ms. Cook's multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Cook 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.

9. Ms. Cook 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.

FOR THE COMMITTEE



Patricia M. Selig, R.N., F.N.P., Ph.D.  
President, Virginia Board of Nursing

ENTERED: January 25, 2011

SEEN AND AGREED TO:

  
Christina H. Cook, R.N.

**Certified True Copy**

By Jamera Farmer  
**Virginia Board of Nursing**

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

Subscribed and sworn to before me, Tanya R. Scott, a Notary Public, this 2<sup>ND</sup> day of December, 2010.

My commission expires 4-30-2012.

Registration Number 237401.

  
NOTARY PUBLIC