

VIRGINIA:

BEFORE THE COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE

**IN RE: CYNTHIA M. McFARLAND, R.N., L.N.P.
 License No.: 0024-164507, 0017-137245**

NOTICE OF HEARING

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Cynthia M. McFarland, R.N., L.N.P., who holds License No. 0024-164507 to practice as a nurse practitioner in Virginia, and Prescriptive Authority No. 0017-137245, which expired on September 30, 2013, is hereby given notice that a formal administrative hearing will be held in the presence of a quorum of the Committee of the Joint Boards of Nursing and Medicine (“Committee of the Joint Boards”). The hearing will be held on April 8, 2015, at 10:30 a.m., at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Ms. McFarland will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. McFarland has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. McFarland desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to inquire into evidence that Cynthia M. McFarland, R.N., L.N.P., may have violated certain laws and regulations governing nurse practitioner practice in Virginia, as more fully set forth in the Statement of Particulars below.

STATEMENT OF PARTICULARS

The Board alleges that:

1. Cynthia M. McFarland, R.N., L.N.P., may have violated §§ 54.1-3007(2), (3), (5), and (8) and 54.1-3303(A) of the Code, 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing, 18 VAC 90-30-220(4) of the Regulations Governing the Licensure of Nurse Practitioners, and 18 VAC 90-40-121 and 90-40-130(A)(1) of the Regulations for Prescriptive Authority for Nurse Practitioners in that, on or about March 1, 2013, after being terminated from PL Physicians – Pediatrics, Fredericksburg, Virginia, Ms. McFarland diverted a prescription pad and wrote prescriptions outside of a written practice agreement, for Xanax (alprazolam, Schedule IV), hydrocodone (Schedule III), and Adderall (amphetamine and dextroamphetamine, Schedule II), for family members with whom she did not have a bona fide practitioner-patient relationship.

2. During the course of her employment with PL Physicians – Pediatrics, Fredericksburg, Virginia:

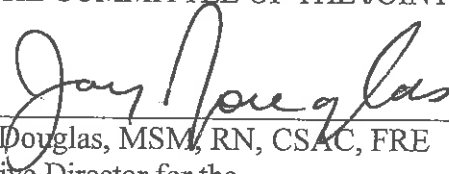
a. Ms. McFarland may have violated § 54.1-3007(2), (5), and (8) of the Code, 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing and 18 VAC 90-30-220(4) of the Regulations Governing the Licensure of Nurse Practitioners in that, prior to leaving employment on or about March 1, 2013, Ms. McFarland failed to complete progress notes on the patients she treated. Further, during the three weeks of employment, Ms. McFarland was unable to effectively utilize the electronic medical records and was unable to complete her charting on a daily basis.

b. Ms. McFarland may have violated § 54.1-3007(2), (5), and (8) of the Code, 18 VAC 90-20-300(A)(2)(e) and (f) of the Regulations Governing the Practice of Nursing and 18 VAC 90-30-220(4) of the Regulations Governing the Licensure of Nurse Practitioners in that, on or about February 27, 2013, Ms. McFarland entered an order for a five-year-old child for epirubicin 2mg/ml, a chemotherapeutic drug,

with instructions to take one vial IV. Said medication was the wrong drug and was an excessive dose for this patient.

3. Ms. McFarland may have violated § 54.1-3007(6) of the Code in that she may be unable to safely practice due to mental and/or physical illness which requires medication and treatment.

FOR THE COMMITTEE OF THE JOINT BOARDS



Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director for the
Board of Nursing

ENTERED: _____

March 11^{PM}, 2015