

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

CHRISTINE M. STOLBA, R.N.

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on May 18, 2011, in Henrico County, Virginia, to inquire into evidence that Christine M. Stolba, R.N., may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board entered on October 1, 2009, and to inquire into evidence that Ms. Stolba may have violated certain laws governing nursing practice in Virginia. The case was presented by Cynthia E. Gaines, Adjudication Specialist, Administrative Proceedings Division. Howard M. Casway, Senior Assistant Attorney General, was present as legal counsel for the Board. Ms. Stolba was present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Christine M. Stolba, R.N., was issued License No. 0001-189081 to practice professional nursing in the Commonwealth of Virginia on February 20, 2004. Said license was suspended by the Board on March 3, 2011. Ms. Stolba's primary state of residence is Virginia.
2. Term 5(a) of the Order of the Board entered on October 1, 2009, in which Ms. Stolba's license to practice professional nursing was indefinitely suspended, stayed the suspension contingent upon Ms. Stolba entering into the Health Practitioners' Monitoring Program ("HPMP") and remaining compliant with the terms and conditions of her HPMP contract. On February 18, 2011, Ms. Stolba was dismissed from

the HPMP for noncompliance with her Recovery Monitoring Contract. Specifically, Ms. Stolba was no longer in treatment at the Harrison House of Virginia, Annandale, Virginia, Intensive Outpatient Program ("IOP"). Ms. Stolba subsequently advised her HPMP case manager that she had re-entered into the Harrison House IOP, but provided no confirmation of her re-entry. The stayed suspension of Ms. Stolba's license was, thereafter, rescinded on March 3, 2011.

3. Between February 26, 2011, and February 27, 2011, Ms. Stolba was admitted to the Emergency Department of Inova Fair Oaks Hospital, Fairfax, Virginia, three times within a 24-hour period. At the first admission, Ms. Stolba presented with shortness of breath and was discharged with a principal diagnosis of anxiety attack. At the second admission, Ms. Stolba presented with symptoms of generalized myalgias, and reported that she had stopped taking methadone (Schedule II) because her "supplier ran out." Ms. Stolba was discharged with a principal diagnosis of drug (opiate) withdrawal. Upon the third admission to the Emergency Department, Ms. Stolba presented extremely agitated and stated that she had taken three Ativan (Schedule IV), and five Zyprexa (Schedule VI) and was unsure how many Clonidine (Schedule VI) or Librium (Schedule IV) she had consumed. Ms. Stolba was discharged with a principal diagnosis of drug (opiate) withdrawal.

4. Ms. Stolba testified that she does not have a prescription for methadone. Further, Ms. Stolba testified that she last used methadone two weeks prior to this hearing and that she obtained it from a family member.

5. Ms. Stolba testified that she previously attended Narcotics Anonymous but does not presently. Ms. Stolba testified that she is addicted to narcotics and her drug of choice is Oxycontin (Schedule II).

6. Ms. Stolba testified that on April 12, 2011, she was seen at Fairfax-Falls Church Community Services Board on an emergency basis.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 2 constitutes a violation of Term 5(a) of the Board's Order entered October 1, 2009.
2. Finding of Fact No. 3 constitutes a violation of 54.1-3007(6) of the Code.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS that:

1. The license No. 0001-189081 issued to Christina M. Stolba, R.N., is CONTINUED on INDEFINITE SUSPENSION for a period of not less than two years. At such time as she shall petition the Board for reinstatement of her license, a hearing will be convened to determine whether she is able to return to the safe and competent practice of professional nursing.
2. The license of Ms. Stolba will be recorded as SUSPENDED and no longer current. Should Ms. Stolba seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license prior to issuance of her license to resume practice.
3. This Order shall be applicable to Ms. Stolba's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia.

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 BOARD

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

June 6, 2011
ENTERED

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with 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. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.