

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: LYNN M. HALTERMAN, R.N.
Colorado License No.: 0100260 with Multistate Privilege

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 January 20, 2015, in Henrico County, Virginia. Lynn M. Halterman, R.N., was not present nor was she represented by legal counsel. Judith E. Piersall, R.N., B.S.N., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On March 25, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Halterman 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. Lynn M. Halterman, R.N., was issued License No. RN0100260 to practice professional nursing by the Colorado Board of Nursing in 1992. Said license is set to expire on September 30, 2016. By virtue of the Nurse Licensure Compact Act, Ms. Halterman holds a multistate privilege to practice in Virginia. Ms. Halterman was previously issued License No. 0001-111163 to practice professional nursing in Virginia, which expired on October 31, 2006. She also holds expired licenses in Oregon and Washington. Her primary state of residence is Colorado.

2. By letter dated January 6, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Halterman notifying her that an informal conference would be held on

January 20, 2015. The Notice was sent by overnight mail to 62 Meriwether Circle, Stuarts Draft, Virginia 24477, the address of record on file with the Board of Nursing. The Notice was also sent to Andre Hakes, Esquire, counsel for Ms. Halterman. The overnight mail was delivered on January 7, 2015. The Agency Subordinate concluded that adequate notice was provided to Ms. Halterman and the informal conference proceeded in her absence.

3. During the course of her employment with Augusta Medical Center, Fishersville, Virginia, from May 1, 2014 to October 2, 2014, Ms. Halterman diverted 368 Percocet tablets (oxycodone/APAP, Schedule II) for her personal and unauthorized use. Ms. Halterman accomplished the diversion by using patient names to remove medications from the automated dispensing system and keeping them for herself.

4. Ms. Halterman admitted to management at the facility that she diverted the Percocet. Her employment was terminated on October 21, 2014.

5. Ms. Halterman declined to be interviewed by the investigator with the Department of Health Professions. On November 5, 2014, Ms. Halterman's legal counsel reported that Ms. Halterman was willing to allow the Board to take her license.

CONCLUSIONS OF LAW

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

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. The Board INDEFINITELY SUSPENDS the multistate privilege and right to renew or reinstate the license of Lynn M. Halterman, R.N., to practice professional nursing in the Commonwealth of Virginia.

2. The multistate privilege and license will be recorded as suspended.
3. At such time as Ms. Halterman shall petition the Board for reinstatement of her multistate privilege or license to practice in Virginia, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing.

Pursuant to § 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 a public record, and shall be made available for public inspection and copying upon request.

Since Ms. Halterman failed to appear at the informal conference, this Order shall be considered final. Ms. Halterman has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Halterman has thirty (30) days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

FOR THE BOARD

Kelvia Mitchell-Lively
per Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

Entered: April 10, 2015

Certified True Copy

By *[Signature]*
Virginia Board of Nursing