

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: MICHELLE LOVE, R.N.
 License No.: 0001-209102**

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 July 21, 2015 in Henrico County, Virginia. Ms. Love was present and was represented by Margaret Hardy, Esquire. Allison Gregory, M.S., R.N., F.N.P.-B.C., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On September 16, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Love was present and was not 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. Michelle Love, R.N. was issued License No. 0001-209102 to practice professional nursing in Virginia on August 31, 2007. The license is scheduled to expire on August 31, 2017. Her primary state of residence is Virginia.

2. By letter dated June 22, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Love notifying her that an informal conference would be held on July 22, 2015. The Notice was sent by certified and first class mail to 112 Guilford Road, Richmond, Virginia 23235, the address of record on file with the Board of Nursing.

3. During the course of her employment with Glenburnie Rehabilitation and Nursing Center, Richmond, Virginia, on July 11, 2014, by her own admission, Ms. Love diverted a Zofran (ondansetron) tablet from a resident's supply for her personal and unauthorized use.

4. Ms. Love stated that on the date of the incident she was extremely busy and was not feeling well. She said that after she took the medication, she immediately knew that what she did was wrong, and she reported herself to her supervisor. Her employment was terminated on July 14, 2014.

5. Ms. Love presented evidence that she completed the NCSBN course in ethics on December 12, 2014. She expressed remorse for her actions.

6. Previously, by Order entered May 18, 2010, the Board suspended Ms. Love's license and stayed the suspension contingent upon her compliance with the Health Practitioners' Monitoring Program ("HPMP"). This Order was based on findings that she had diverted medications and was unsafe to practice due to substance abuse. Ms. Love successfully completed the HPMP on January 26, 2015. HPMP did not impose any sanction against her as a result of her diversion from Glenburnie. She stated that she has been sober since 2008. She participates actively in Alcoholics Anonymous, has a sponsor, and is sponsor to several other participants.

7. Ms. Love has been employed with Magellan Healthcare as a case manager since September 2014. There have been no disciplinary issues with this employer.

CONCLUSIONS OF LAW

Finding of Fact #3 constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Michelle Love, R.N. is hereby REPRIMANDED.
2. Ms. Love 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 § 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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Love may, not later than 5:00 p.m., on November 16, 2015, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD:

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

ENTERED: October 14TH 2015

This Order shall become final on November 16, 2015, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By [Signature]
Virginia Board of Nursing