

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:**

**MICHELLE LOVE, R.N.**

**CONSENT ORDER**

The Virginia Board of Nursing (“Board”) and Michelle, Love, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Love’s license to practice professional nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. Michelle Love, R.N., was issued License No. 0001-209102 to practice as a professional nurse by the Virginia Board of Nursing on August 31, 2007. Said license is set to expire on August 31, 2011.
2. By Consent Order entered by the Board on April 15, 2009 (“Board’s Order”), the Board found that Ms. Love had diverted Dilaudid (hydromorphone, Schedule II), lorazepam (Schedule II), and Percocet (oxycodone, Schedule II), and that she was unable to safely practice due to mental health and substance abuse issues. The Board further found that Ms. Love entered into the Health Practitioners’ Monitoring Program (“HPMP”) (*formerly, the Health Practitioners’ Intervention Program*) on October 20, 2008, and was in compliance with the program. Term No. 1 of the Board’s Order took no action against Ms. Love contingent upon her continued compliance with the terms and conditions of her contract with HPMP.
3. By letter dated August 21, 2009, Ms. Love was dismissed from HPMP because of her “counselor’s concerns, her unwillingness to allow HPMP to assist her with her financial concerns, and her noncompliance with calling the test line and screening since 7/15/09.”

4. On October 12, 2009, Ms. Love informed a Department of Health Professions' investigator that she remains clean and sober, goes to three to four Alcoholics' Anonymous meeting per week, and found out that she was eligible to seek re-entry into HPMP.

5. On December 4, 2009, Ms. Love signed a Participation Contract with HPMP, which was received on December 17, 2009.

### **CONCLUSIONS OF LAW**

Finding of Fact No. 3 constitutes a violation of Term No. 1 of the Board's Order entered October 20, 2008.

### **CONSENT**

Michelle Love, 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 an informal fact finding conference 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 an informal conference;
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**

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

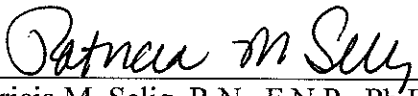
1. License No. 0001-209102 of Michelle Love, R.N., is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Love shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Love 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.
4. This suspension applies to any multistate privilege to practice professional nursing.
5. This suspension shall be STAYED upon the condition that Ms. Love remain compliant with the terms of her contract with the HPMP. The following terms and conditions shall apply:
  - a. Ms. Love 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 Michelle Love, 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. Love is not in compliance with the terms and conditions specified by the HPMP;
    - ii. Ms. Love's participation in the HPMP has been terminated;
    - iii. There is a pending investigation or unresolved allegation against Ms. Love involving a violation of law, regulation, or any term or condition of this order.

6. This Order is applicable to Ms. Love's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Love shall not work outside of 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 Ms. Love wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

7. 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 §§ 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 upon request.

FOR THE BOARD

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

ENTERED: 5/18/10

SEEN AND AGREED TO:

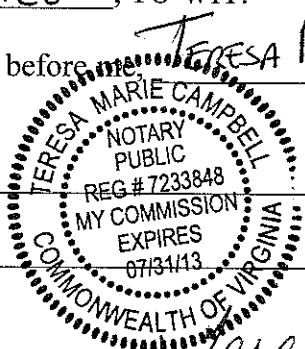
Michelle A. Love, R.N.  
Michelle Love, R.N.

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

Subscribed and sworn to before me, TERESA M. CAMPBELL a Notary Public, this 23 day of MARCH, 2010.

My commission expires \_\_\_\_\_

Registration Number \_\_\_\_\_



Teresa Marie Campbell  
NOTARY PUBLIC