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JAN 23 2015

VIRGINIA:

BEFORE THE BOARD OF NURSING VA BD OF NURSING

IN RE: JOAN A. MONTOYA, R.N.  
License No.: 0001-059747

**CONSENT ORDER**

The Virginia Board of Nursing ("Board") and Joan A. Montoya, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Montoya's license to practice professional nursing in Virginia.

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

**FINDINGS OF FACT**

1. Joan A. Montoya, R.N., was issued License No. 0001-059747 to practice professional nursing by the Virginia Board of Nursing on August 18, 1975. Said license is set to expire on April 30, 2015. Her primary state of residence is Virginia.
2. During the course of her employment with Ministering Angels, L.L.C., a home health agency, on March 21, 2014, Ms. Montoya incorrectly filled a client's pill box and it was found to contain double or triple the prescribed dosage amounts. Further, Ms. Montoya mixed the client's medications in the original prescription bottles.
3. The error was discovered by the client's caretaker prior to administration of the medications and there was no harm to the client.
4. Ms. Montoya's employment was terminated on March 28, 2014.

**CONCLUSIONS OF LAW**

Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code of Virginia (1950), as amended (“Code”), and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing.

**CONSENT**

Joan A. Montoya, 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 and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law 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. Joan A. Montoya, R.N., is hereby REPRIMANDED.

2. Ms. Montoya 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

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

ENTERED: January 28<sup>th</sup>, 2015

SEEN AND AGREED TO:

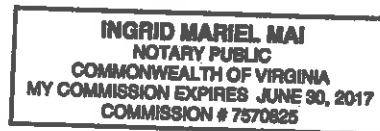
Joan A. Montoya RN  
Joan A. Montoya, R.N.

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

Subscribed and sworn to before me, Joan A. Montoya, RN, a Notary Public, this 2<sup>nd</sup> day of January, 2015.

My commission expires June 30, 2017.

Registration Number 757 0825



Certified True Copy

By Y. Robinson-Flower  
Virginia Board of Nursing

[Signature]  
NOTARY PUBLIC