

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: CHRISTINE H. DeVOY, R.N.  
License No.: 0001-209233

CONSENT ORDER

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

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

FINDINGS OF FACT

1. Christine H. DeVoy, R.N., was issued License No. 0001-209233 to practice professional nursing by the Virginia Board of Nursing on September 11, 2007. Said license is set to expire on March 31, 2015. Ms. DeVoy also holds License No. RN217168 to practice professional nursing in Massachusetts, which expired on March 21, 2012, and License No. 544820 to practice in California, which expired on April 30, 2000. Her primary state of residence is Virginia.
2. During the course of her employment with Virginia Commonwealth University Health System, Richmond, Virginia, in December, 2007, Ms. DeVoy stole blank prescription forms, forged the names of prescribers, and fraudulently obtained tramadol, Valium (diazepam, Schedule IV), and oxycodone (Schedule II) for her personal and unauthorized use. Ms. DeVoy's employment was terminated effective February 5, 2008.
3. On February 1, 2008, Ms. DeVoy entered the intensive outpatient treatment program at the Family Counseling Center for Recovery, Richmond, Virginia. On February 15, 2008, Ms. DeVoy entered a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") [formerly the Health Practitioners' Intervention Program]. On June 20, 2008, Ms. DeVoy received a stay of disciplinary action

for forging and presenting fraudulent prescriptions as referenced above. On October 5, 2012, the stay of disciplinary action was vacated due to Ms. DeVoy's noncompliance with the HPMP. Specifically, on June 19, 2012, Ms. DeVoy tested positive for tramadol, for which she did not have a valid prescription.

4. Ms. DeVoy reported that she accidentally ingested tramadol that was prescribed for a family member and had been placed in an over-the-counter medication container. She was referred back to the nurses' group and placed on warning status. Ms. DeVoy's anticipated HPMP completion date is February 25, 2013.

5. On December 8, 2009, in the Circuit Court of Chesterfield County, Virginia, Ms. DeVoy was convicted of two counts of obtaining drugs by fraud, a misdemeanor. She was sentenced to 24 months in jail, suspended, and ordered to pay court costs.

#### **CONCLUSIONS OF LAW**

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2), (3), (5) and (6) of the Code of Virginia (1950), as amended ("Code"), and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing.

2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(4) of the Code.

#### **CONSENT**

Christine H. DeVoy, 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. Christine H. DeVoy, R.N., is hereby REPRIMANDED.
2. Ms. DeVoy 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 Regulations Governing the Practice of Nursing.

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:

*Jay P. Douglas*

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

ENTERED: May 6<sup>th</sup>, 2013

SEEN AND AGREED TO:

*Christine H. DeVoy R.N.*  
Christine H. DeVoy, R.N.

COMMONWEALTH OF VIRGINIA  
COUNTY/CITY OF Christiansburg TO WIT:

Subscribed and sworn to before me, Phyllis A. Akel, a Notary Public, this 26<sup>th</sup> day of April, 2013.

My commission expires 11/30/2015.

Registration Number 303672.

*Phyllis A. Akel*

NOTARY PUBLIC

Certified True Copy

By *[Signature]*  
Virginia Board of Nursing