

0001-224813

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

DEBRA A. METZIG, R.N. APPLICANT

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Debra A. Metzиг, as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Metzиг's application for licensure by endorsement to practice professional nursing in Virginia.

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

FINDINGS OF FACT

1. Debra A. Metzиг, R.N., submitted an application for licensure by endorsement to practice professional nursing in Virginia which was received by the Board on September 2, 2009.
2. Ms. Metzиг was initially issued a license to practice professional nursing in the State of Minnesota on October 1, 1971. Said license expired on April 30, 2008.
3. Ms. Metzиг was issued a license to practice professional nursing in the State of Florida on April 5, 2006. On September 21, 2009, Ms. Metzиг's Florida license was the subject of an Emergency Suspension by the State of Florida Department of Health. This action was a result of Ms. Metzиг's inability to practice nursing in a safe manner due to the use of alcohol and drugs, and a physical illness.
4. On October 30, 2009, Ms. Metzиг entered into a settlement agreement with the State of Florida Department of Health, Board of Nursing, which issued a reprimand to Ms. Metzиг and suspended her license, with the suspension stayed contingent upon her entry into the Intervention Project for Nurses ("IPN"). On December 28, 2009, Ms. Metzиг entered into the IPN.

5. In December 2007, Ms. Metzgi was diagnosed with Sjögren's Syndrome, which causes her to have severe pain, tingling and numbness in her feet. Ms. Metzgi is currently prescribed Suboxone (Schedule III) to treat the pain caused by Sjögren's Syndrome.

6. On her application for licensure by endorsement, Ms. Metzgi answered "NO" to the question "Do you have a mental, physical, or chemical dependency condition which could interfere with your current ability to practice nursing?" when, in fact, Ms. Metzgi suffers with Sjögren's Syndrome, as evidenced above, and an addiction to alcohol and drugs.

7. On October 13, 2009, Ms. Metzgi entered into a Participation Contract with the Virginia Health Practitioners' Monitoring Program ("HPMP"). On March 16, 2010, Ms. Metzgi signed Recovery Monitoring Contract No. 2, with the HPMP.

8. On April 29, 2010, Ms. Metzgi was placed on warning status by HPMP due to two missed urine drug screens. The HPMP will not approve Ms. Metzgi to return to practice, until she is no longer taking Suboxone and has demonstrated compliance with urine drug screenings.

9. Ms. Metzgi stated that she attends weekly Alcoholics Anonymous and Narcotics Anonymous meetings, and is working on the 12 Steps.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 3 and 4 constitute violations of § 54.1-3007(7) of the Code of Virginia (1950), as amended ("Code").

2. Findings of Fact Nos. 5 and 6 constitute violations of § 54.1-3007(1) and (6) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing.

3. Based on the above Findings of Fact, the Board concludes that Ms. Metzgi is properly enrolled in the HPMP.

4. The Board concludes that Ms. Metzgi otherwise meets the requirements of § 54.1-3018 of the Code.

CONSENT

Debra A. Metzgi, 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 application for licensure by endorsement to practice professional nursing in Virginia.

ORDER

WHEREFORE, it is hereby ORDERED that the application of Debra A. Metzgi, R.N., for licensure by endorsement as a professional nurse in Virginia is APPROVED contingent upon the following terms and conditions:

1. Ms. Metzgi shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.
2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Metzgi, and an administrative proceeding shall be held to decide whether her license should

be revoked. Ms. Metzsig shall be noticed to appear before the Board at such time as the Board is notified that:

- a. Ms. Metzsig is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
- b. There is a pending investigation or unresolved allegation against Ms. Metzsig involving a violation of law or regulation or any term or condition this Order; or
- c. Ms. Metzsig has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Metzsig's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Metzsig's appearance before the Board and conduct an administrative review of this matter.

3. This Order is applicable to Ms. Metzsig's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Metzsig 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. Metzsig wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

4. Ms. Metzsig 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

Jay P. Douglas
for Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director, Virginia Board of Nursing
ENTERED: June 11, 2010

SEEN AND AGREED TO:

Debra A Metzig R.N.
Debra A Metzig, R.N.

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

Subscribed and sworn to before me, Dianne L Barker, a Notary Public, this 7 day of June, 2010.

My commission expires 6/30/11.

Registration Number 200651.

Dianne L Barker
NOTARY PUBLIC

DIANNE L. BARKER
Notary Public
Commonwealth of Virginia
200651
My Commission Expires Jun 30, 2011