

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: AMANDA ADAMS, R.N.
 License No.: 0001-204855**

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on March 23, 2015, in Henrico County, Virginia, to inquire into evidence that Amanda Adams, R.N., may have violated certain laws and regulations governing nursing practice in Virginia. The case was presented by Wendy Deaner, Adjudication Specialist, Administrative Proceedings Division. Charis Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Adams was present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Amanda Adams, R.N., was issued License No. 0001-204855 to practice professional nursing in the Commonwealth of Virginia on December 11, 2006. Said license was summarily suspended by Order of the Board entered on January 13, 2015. Ms. Adams' primary state of residence is Virginia.

2. During the course of her employment with Chesapeake Regional Medical Center, Chesapeake, Virginia, on August 17, 2014:

a. Ms. Adams appeared to be under the influence of a controlled substance and was described by her co-workers and supervisors as jittery, unfocused, with rambling speech, trembling at times and pale in appearance. Ms. Adams was caring for patients not assigned to her and while a co-worker was speaking with her about her patients, a bottle of Lidocaine jelly fell from her pocket. When Ms. Adams was

asked to empty her pockets, there were multiple handfuls of Curoso caps in her pockets as well as metoprolol and clonidine tablets; Ms. Adams also discarded two empty syringes in her supervisor's trashcan.

b. Ms. Adams diverted morphine (Schedule II) for her own unauthorized and/or personal use. Ms. Adams pulled approximately 16 mg of morphine from the Pyxis machine for four patients, two of whom were not assigned to her; however, approximately 14 mg of morphine was unaccounted for. In addition, a co-worker found an empty vial of Zofran and empty syringes in a plastic bag in a patient's room after Ms. Adams had left the unit. At the formal hearing, Ms. Adams' supervisor testified that Ms. Adams pulled over 20 medications for four patients and did not document administration of any of the medications and none of the medications were ever recovered. Ms. Adams was only assigned to care for two patients that day.

3 By her own admissions to her supervisor and a Virginia Department of Health Professions investigator, Ms. Adams indicated that she had taken Vicodin (Schedule II), Xanax (Schedule IV) and Ambien (Schedule IV) on the night of August 16, 2014, and tramadol (Schedule IV) at 8:00 a.m., on August 17, 2014, during her shift.

4. On August 4, 2014, Ms. Adams was charged with one count of misdemeanor driving under the influence and one count of felony possession of a controlled substance, Schedule II (morphine). The felony possession of morphine was certified to the Grand Jury and the two misdemeanor offenses were appealed to the City of Chesapeake, Circuit Court. All matters are set to be heard on May 28, 2015. In addition, on March 3, 2015, Ms. Adams was charged with one count of misdemeanor possession of midazolam; this offense arose from the August 4, 2014, incident with law enforcement. A hearing date is set for April 7, 2015.

5 Between September 11, 2012, and September 11, 2014, Ms. Adams was prescribed tramadol, Ambien, Fentanyl (Schedule II), Percocet (Schedule II) and Demerol (Schedule II), from a total of ten prescribers.

6. Ms. Adams was recently diagnosed with hereditary angioedema, type 1, for which she was prescribed Zofran, tramadol, Phenergan and Berinert. Ms. Adams was also diagnosed with anxiety and depression for which she was prescribed Xanax and Zoloft.

7. Ms. Adams' employment with Chesapeake Regional Medical Center was terminated on September 2, 2014, after a less than six-month term of employment.

8. During an interview with a Virginia Department of Health Professions investigator on November 10, 2014, Ms. Adams indicated that she had sent her paperwork into the Health Practitioners' Monitoring Program ("HPMP") and the HPMP had informed her that she could not work; however, as of March 18, 2015, Ms. Adams was not enrolled in the HPMP.

9. Ms. Adams testified that she has a very painful and disfiguring disease with sporadic attacks that she cannot predict. She said that she felt sick from her disease on August 17, 2014, and that her poor performance that day was not because of medication. She said she did not want to call out and attempted to justify her decision to work by saying she told the charge nurse that she did not feel well. At the hearing, she was unable to articulate what she should have done differently, as she thought she was saying she was not going to work.

10. Ms. Adams frequently told the Board at the hearing that she was not sure if she remembered events correctly. She testified that she did not remember the coaching moments that were in the record, and she further testified that she has been going to counseling for the last few months but could not recall the name of the counselor. In the evidence presented, Ms. Adams told the Department of Health Professions investigator that she could not remember the name of a rehabilitation facility that she went to in California. At the hearing she still could not recall the name of the facility or what type of facility it was. She then testified that she spent most of her time in California in a hospital, not in the facility.

11. Ms. Adams testified that she administered the 16 mg of morphine on August 17, 2014, but that she failed to document the administration because the entire unit was having issues accessing the

computer system to chart the medication. She later testified that she failed to document the administration of the medication because she was too sick to stand in the patient's room. Later in the hearing, Ms. Adams further testified that she did not report the computer issue to her charge nurse because she thought the computer system problem would resolve itself. Ms. Adams stated that she did not go back to see if the computer system was working later. Jeannine Simon, the nurse manager of the ICU at Chesapeake Regional Medical Center, testified that there were no reported issues with the system on August 17, 2014, and that there had already been medication administered and documented in the system that morning prior to Ms. Adams arriving. She further testified that Ms. Adams had received previous coaching regarding documentation where Ms. Adams had made the same claims regarding the system being unreliable.

12. Ms. Adams testified that she sympathized with patients in pain and that she considered her coworkers wrong that they would not give them pain medication until the patients requested it. The Board determined that she demonstrated a disregard for hospital policy because of this philosophical difference.

13. Ms. Adams testified that she has been prescribed a new drug that will assist her in managing the swelling episodes that come from her hereditary condition. These episodes could make her severely ill for several days and then exhausted for a week. Ms. Adams testified that this medication improves her quality of life.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 2(a) constitutes a violation of §54.1-3007 (5) and (6) of the Code of Virginia (1950), as amended ("Code").
2. Finding of Fact No. 2(b) constitutes a violation of §54.1-3007(2), (5) and (6) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing.
3. Findings of Fact Nos. 3, 4, 5, 6 constitute a violation of §54.1-3007(6) of the Code.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. License No. 0001-204855, issued to Amanda Adams, R.N., to practice professional nursing in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED.
2. The license of Ms. Adams will be recorded as SUSPENDED and no longer current. Should Ms. Adams seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license prior to issuance of her license to resume practice.
3. At such time as Ms. Adams shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of professional nursing.
4. This Order shall be applicable to Ms. Adam's multistate licensure privileges, if any, to practice professional nursing.
5. Said suspension shall be STAYED upon proof that Ms. Adams has entered into a Recovery Monitoring Contract with the Health Practitioners' Monitoring Program ("HPMP") and upon the condition that she remain compliant with the terms of a Recovery Monitoring Contract with the HPMP and the following terms and conditions:
 - a. Ms. Adams 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 Ms. Adams, and an administrative proceeding shall be held to decide 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. Adams is not in compliance with the terms and conditions specified by the

HPMP, or has been terminated from participation in the HPMP, or

ii. There is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of this Order.

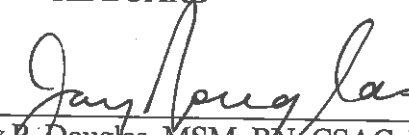
6. Upon receipt of evidence of Ms. Adams's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Adams's appearance before the Board, and conduct an administrative review of this matter, at which time he/she may be issued an unrestricted license.

7. Ms. Adams is hereby REPRIMANDED.

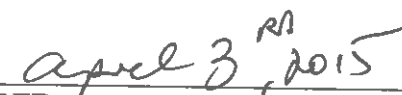
8. This Order shall be applicable to Ms. Adams' multistate licensure privileges, if any, to practice professional nursing. It is further ordered that for the duration of this Order, Ms. Adams may not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where she wishes to work.

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 on request.

FOR THE BOARD



Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing



ENTERED

Certified True Copy

By 

Virginia Board Of Nursing

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.