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VA BD OF NURSING

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: DENISE VIGH, L.P.N., R.N. APPLICANT

License No.: 0002-085789

0001-2554DD

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Denise Vigh, L.P.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Vigh's application for licensure by examination to practice professional nursing in Virginia.

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

FINDINGS OF FACT

1. Denise Vigh, L.P.N., was issued License No. 0002-085789 to practice practical nursing by the Virginia Board of Nursing on September 19, 2011. Said license is set to expire on January 31, 2016. Ms. Vigh's primary state of residence is Virginia.
2. Ms. Vigh submitted an application for licensure by examination to practice professional nursing which was received by the Board on July 1, 2014.
3. On May 10, 2013, Ms. Vigh was convicted of petty larceny of morphine (C-II) in the Northampton County Circuit Court.
4. Ms. Vigh stated that she diverted morphine from her employer, Riverside Shore Memorial Hospital, Nassawadox, Virginia, in February 2012. Ms. Vigh was initially charged with felony possession of morphine, but was allowed to enter a first offender program, which she completed on May 9, 2014. The charge was dismissed.
5. Ms. Vigh provided evidence that she has paid all associated court costs related to her conviction.
6. On March 23, 2012, Ms. Vigh entered into a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP"), and on June 4, 2012, she signed her first Recovery Monitoring Contract. Ms. Vigh recently signed a new Recovery Monitoring Contract on July 10, 2014. Ms. Vigh was granted a stay of disciplinary action regarding the theft of morphine.

7. Ms. Vigh provided evidence that on July 9, 2013, she completed a treatment program with the Eastern Shore Community Services Board.

8. Once allowed to return to practice by the HPMP, Ms. Vigh was rehired by Riverside Shore Memorial Hospital, where she is currently employed.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(4) of the Code of Virginia (1950), as amended (“Code”).

2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code.

3. Based on the above Findings of Fact, Ms. Vigh is properly enrolled in the HPMP.

4. Ms. Vigh otherwise meets the qualifications of § 54.1-3017 of the Code.

CONSENT

Denise Vigh, L.P.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 application for licensure by examination to practice professional nursing and her right to practice practical 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. The application of Denise Vigh, L.P.N., for licensure by examination to practice professional nursing is APPROVED. Upon successful completion of the NCLEX-RN examination, Ms. Vigh shall be issued a license to practice professional nursing in the Commonwealth, contingent upon her continued compliance 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. Vigh, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Vigh shall be noticed to appear before the Board at such time as the Board is notified that:

a. Ms. Vigh 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. Vigh involving a violation of law or regulation or any term or condition of this Order; or

c. Ms. Vigh has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of evidence of Ms. Vigh's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Vigh's appearance before the Board and conduct an administrative review of this matter.

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

4. Ms. Vigh is hereby REPRIMANDED.

5. Ms. Vigh shall maintain a course of conduct in her capacity as a professional and/or practical 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 Douglas
Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director, Virginia Board of Nursing

ENTERED: October 23RD, 2014

SEEN AND AGREED TO:

Denise Vigh, L.P.N.
Denise Vigh, L.P.N.

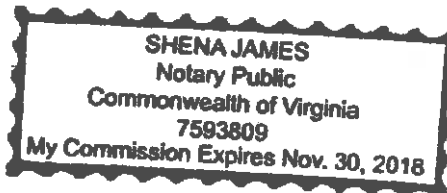
COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Northampton, TO WIT:

Subscribed and sworn to before me, Shena James a Notary Public, this 13 day of October, 2014.

My commission expires Nov 30, 2018

Registration Number 7593809

Shena James
NOTARY PUBLIC



Certified True Copy

By Shatha
Virginia Board Of Nursing