

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: RACHEL Y. CRADDOCK, L.P.N.
License No.: 0002-059799

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 September 17, 2014, in Henrico County, Virginia, to inquire into evidence that Rachel Y. Craddock, L.P.N., may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board entered on May 15, 2012, and to inquire into evidence that Ms. Craddock may have violated certain laws governing practical nursing practice in Virginia. The case was presented by Tammie D. Jones, Adjudication Specialist, Administrative Proceedings Division. Erin Barrett, Assistant Attorney General, was present as legal counsel for the Board. Ms. Craddock 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. Rachel Y. Craddock, L.P.N., was issued License No. 0002-059799 to practice practical nursing in the Commonwealth of Virginia on May 3, 2001. Said license was indefinitely suspended by the Board on May 15, 2012, with said suspension stayed contingent upon Ms. Craddock's compliance with certain terms and conditions. Ms. Craddock's license expired on September 30, 2013. By letter dated June 3, 2014, the stay of suspension was summarily rescinded. Her primary state of residence is Virginia.
2. By Order entered May 15, 2012, the Board indefinitely suspended Ms. Craddock's license to practice practical nursing with said suspension stayed contingent upon continued compliance with the Health

Practitioners' Monitoring Program ("HPMP"). The action was based upon findings that Ms. Craddock diverted medications and tested positive for drugs for which she did not have valid prescriptions.

3. On July 19, 2013, Ms. Craddock was dismissed from the HPMP due to noncompliance with the toxicology screening program. Specifically:

- a. On June 13, 2012, Ms. Craddock tested positive for marijuana.
- b. On August 17, 2012 and October 24, 2012, Ms. Craddock failed to call the test line.
- c. On May 9, 2013, Ms. Craddock failed to submit a screen for testing.

4. On November 18, 2013, in the Virginia Beach General District Court, Ms. Craddock was convicted of misdemeanor shoplifting. Ms. Craddock testified that she was convicted of shoplifting a drink and a sandwich. She was hungry and did not have money to purchase the food and drink. Ms. Craddock has not paid her restitution fines, but intends to do so.

5. On July 16, 2014, during an interview with an investigator from the Department of Health Professions, Ms. Craddock reported that she was participating in a weekly stress management group and weekly meetings of Emotions Anonymous. She also reported being prescribed Effexor for depression and anxiety. She is employed as a housekeeper at a local hotel.

6. Ms. Craddock testified that she would like to return to the practice of nursing. She has not worked as a nurse since 2012. Ms. Craddock has not pursued any training since her license was suspended. Ms. Craddock previously worked in geriatric, long-term care nursing.

7. Ms. Craddock testified that she would be willing to re-enter the HPMP. She testified that she would be more compliant and would fully read over all necessary paperwork.

8. Ms. Craddock testified that she is attending outpatient services at Pembroke 6 Mental Health for substance abuse counseling. She attends meetings every Thursday. Ms. Craddock testified that she is also attending Alcoholics Anonymous.

9. Ms. Craddock testified that she is not an alcoholic and is not a drug addict. When asked for

her sobriety date she could not provide it.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(6) of the Code and Term No. 5 of the Order entered May 15, 2012.
2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(4) of the Code.

ORDER

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

1. Rachel Y. Craddock, L.P.N., is hereby REPRIMANDED.
2. The right of Ms. Craddock to renew License No. 0002-059799 to practice practical nursing in the Commonwealth of Virginia is CONTINUED on INDEFINITE SUSPENSION until such time that Ms. Craddock applies for reinstatement.
3. The license of Ms. Craddock will be recorded as SUSPENDED. Should Ms. Craddock 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.
4. This Order shall be applicable to Ms. Craddock's multistate licensure privileges, if any, to practice practical nursing.
5. Said suspension shall be STAYED upon proof that Ms. Craddock 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. Craddock 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 Rachel Y. Craddock, L.P.N., 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. Craddock 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. Craddock's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Craddock's appearance before the Board, and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

7. This Order shall be applicable to Ms. Craddock's multistate licensure privileges, if any, to practice practical nursing. It is further ordered that for the duration of this Order, Ms. Craddock 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.

8. Ms. Craddock shall maintain a course of conduct in her capacity as a 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 on request.

FOR THE BOARD

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

October 15, 2014
ENTERED

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.

Certified True Copy

By *dgraham*
Virginia Board Of Nursing