

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: ANDREA HARRIS, R.N.
 License No.: 0001-201294**

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 November 19, 2015, in Henrico County, Virginia, to inquire into evidence that Andrea Harris, R.N., may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board entered on October 2, 2014. 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. Harris was not 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. Andrea Harris, R.N., was issued License No. 0001-201294 to practice professional nursing in the Commonwealth of Virginia on June 16, 2006. Said license was suspended by an Order of the Board, entered October 2, 2014; said suspension was stayed contingent upon certain terms and conditions. The stay of suspension was rescinded on June 12, 2015, and said license was indefinitely suspended. Ms. Harris' primary state of residence is Virginia.

2. Based upon the representations of Wendy Deaner, Adjudication Specialist, and Commonwealth's Exhibit No. 1, the Amended Notice of Formal Hearing and Statement of Particulars, Allegation Summary Worksheet, and Amended Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in her absence.

3. By Board Order entered October 2, 2014, Ms. Harris' license to practice professional nursing was indefinitely suspended due to her inability to safely practice due to substance abuse. The suspension was stayed contingent upon certain terms and conditions, including entry into and compliance with the Health Practitioners' Monitoring Program ("HPMP").

4. Between April 27, 2015 and May 1, 2015, Ms. Harris missed two calls to the toxicology screen test line and two toxicology screens. Ms. Harris stopped calling the test line on May 5, 2015.

5. By letter dated May 4, 2015, Ms. Harris resigned from the HPMP for financial reasons. Her resignation was accepted by the HPMP effective May 18, 2015.

CONCLUSIONS OF LAW

The Board concludes that Findings of Fact Nos. 4 and 5 constitute a violation of Term No. 6(a) of the Board's Order entered October 2, 2014.

ORDER

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

1. Andrea Harris, R.N., is hereby REPRIMANDED.
2. License No. 0001-201294 issued to Andrea Harris, R.N., to practice professional nursing in the Commonwealth of Virginia is hereby CONTINUED on INDEFINITE SUSPENSION for a period of not less than two years.
3. The license of Ms. Harris will be recorded as SUSPENDED. Should Ms. Harris 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. At such time as Ms. Harris 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.

5. This Order shall be applicable to Ms. Harris' multistate licensure privileges, if any, to practice professional 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 on request.

FOR THE BOARD

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

December 9, 2015
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 *draham*
Virginia Board Of Nursing