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VA BD OF NURSING

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: **CHERYL D. ARMSTRONG, R.N.**  
**License No.: 0001-202880**

**CONSENT ORDER**

The Virginia Board of Nursing ("Board") and Cheryl D. Armstrong, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Armstrong's license to practice professional nursing in Virginia.

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

**FINDINGS OF FACT**

1. Cheryl D. Armstrong, R.N. was issued License No. 0001-202880 to practice professional nursing by the Virginia Board of Nursing on August 1, 2006. Said license is set to expire on January 31, 2013. Her primary state of residence is Virginia.
2. During the course of her employment with CJW Medical Center, Midlothian, Virginia, on November 24 and 25, 2010, Ms. Armstrong diverted 20 tablets of Percocet (oxycodone combination product, Schedule II) for her personal and unauthorized use. She accomplished this diversion by removing the medications from the Accudose system when the system was open via another nurse's log-in information.
3. Ms. Armstrong entered into a Recovery Monitoring Contract with the Health Practitioners' Monitoring Program ("HPMP") in February 2010. She was granted a stay of disciplinary action with respect to her diversion of narcotics in May 2010, with the understanding that she would comply with the terms and conditions of the HPMP.
4. Ms. Armstrong's stay of disciplinary action was vacated on May 1, 2014 due to noncompliance with her HPMP contract. Specifically, she submitted a dilute urine sample for screening on

April 1, 2014. The sample was positive for alcohol. Ms. Armstrong acknowledged drinking alcohol on March 31, 2014.

5. Ms. Armstrong is otherwise compliant with the terms and conditions of her contract with the HPMP. She remains employed with CJW Medical Center.

### CONCLUSIONS OF LAW

Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2), (5), and (6) of the Code of Virginia (1950), as amended (“Code”), and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing..

### CONSENT

Cheryl D. Armstrong, 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 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 right to practice professional 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 Board shall TAKE NO ACTION at this time contingent on Ms. Armstrong's continued compliance with the 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. Armstrong, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Armstrong shall be noticed to appear before the Board at such time as the Board is notified that:

a. She 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 her involving a violation of law or regulation or any term or condition of this Order; or

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

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

4. Ms. Armstrong 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  
Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.  
Executive Director, Virginia Board of Nursing

ENTERED: October 2<sup>nd</sup>, 2014

SEEN AND AGREED TO:

Cheryl D. Armstrong  
Cheryl D. Armstrong, R.N.

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

Subscribed and sworn to before me, Sarah E. Kauffman, a Notary Public, this 18 day of September, 2014.

My commission expires 12/31/16

Registration Number 7520003

Certified True Copy

By [Signature]  
Virginia Board of Nursing

[Signature]  
NOTARY PUBLIC

