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VA BD OF NURSING

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: GRETCHEN RHODENIZER, R.N.
License No.: 0001-129797

CONSENT ORDER

Pursuant to §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), an informal conference was held before a Special Conference Committee (“Committee”) of the Board of Nursing (“Board”) on December 16, 2013, in Henrico County, Virginia, to inquire into evidence that Gretchen Rhodenizer, R.N., may have violated certain laws and regulations governing the practice of nursing in Virginia. Ms. Rhodenizer was present and was not represented by counsel.

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

FINDINGS OF FACT

1. Gretchen Rhodenizer, R.N., was issued License No. 0001-129797 to practice professional nursing in the Commonwealth of Virginia on August 28, 1992. Said license expires on December 31, 2014. Ms. Rhodenizer’s primary state of residence is Virginia.
2. By letter dated November 21, 2013, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Rhodenizer notifying her that an informal conference would be held on December 16, 2013. The Notice was sent by certified and first class mail to 2812 Sand Hills Drive, Chester, Virginia, 23831, the address of record on file with the Board of Nursing.
3. On December 11, 2012, during the course of her employment with Southside Regional Medical Center, Petersburg, Virginia, Ms. Rhodenizer appeared impaired and smelled of alcohol while attending a departmental meeting at work.

4. Ms. Rhodenizer resigned her employment with Southside Regional Medical Center in lieu of termination.
5. On June 21, 2013, during the course of her employment with Chippenham Hospital, Richmond, Virginia, Ms. Rhodenizer tested positive on a for-cause employment alcohol screen after a patient reported that she smelled of alcohol while on duty.
6. Ms. Rhodenizer's employment with Chippenham Hospital was terminated.
7. On August 11, 2013, Ms. Rhodenizer signed a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") in which she acknowledged a history of alcoholism.
8. On October 2, 2013, Ms. Rhodenizer resigned from HPMP. She stated at the informal conference that she withdrew from HPMP because she could not comply with HPMP requirements due to work and personal conflicts.
9. At the informal conference, Ms. Rhodenizer admitted to periods of excessive drinking in 2012 and 2013, but she stated that she did not currently have a problem with alcohol.
10. Ms. Rhodenizer stated her date of sobriety was June 22, 2013. She stated she currently attends Alcoholics Anonymous three to five times a week. She is currently working on Step 3 of the 12-step program.
11. Ms. Rhodenizer stated at the informal conference that she does not intend to return to nursing in a hospital setting, but would like to maintain her license.

CONCLUSIONS OF LAW

1. Finding of Fact Nos. 3 and 5 constitute violations of § 54.1-3007(5) and (6) of the Code.
2. Finding of Fact No. 7 constitutes a violation of 54.1-3007(6) of the Code.
3. Based on the above Findings of Fact, the Committee concludes that Ms. Rhodenizer is a candidate for the Health Practitioners' Monitoring Program ("HPMP").

CONSENT

Gretchen Rhodenizer, 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 a formal fact finding hearing 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 a formal hearing;
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. License No. 0001-129797 of Gretchen Rhodenizer, R.N., is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Rhodenizer shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Rhodenizer shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.

4. This suspension applies to any multistate privilege to practice professional nursing.
5. This suspension shall be STAYED upon proof of Ms. Rhodenizer's re-entry into the HPMP.

At such time, the indefinite suspension shall be STAYED and the following terms and conditions shall apply:

- a. Ms. Rhodenizer 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 Ms. Rhodenizer, and an administrative proceeding shall be held to determine 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. Rhodenizer is not in compliance with the terms and conditions specified by the HPMP;
- ii. Ms. Rhodenizer's participation in the HPMP has been terminated;
- iii. There is a pending investigation or unresolved allegation against Ms. Rhodenizer involving a violation of law, regulation, or any term or condition of this order.

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

7. Ms. Rhodenizer 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.

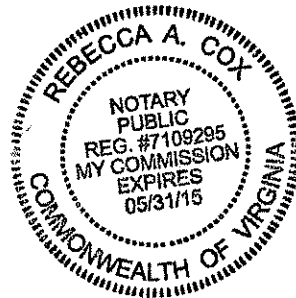
FOR THE BOARD

Jane Ingalls
Jane Ingalls, R.N., Ph.D.
President, Virginia Board of Nursing

ENTERED: March 18, 2014

SEEN AND AGREED TO:

Gretchen Rhodenizer
Gretchen Rhodenizer, R.N.



COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Christfield TO WIT:

Subscribed and sworn to before me, Rebecca A. Cox, a Notary Public, this 3rd day of Feb., 2014.

My commission expires 5-31-2015.

Registration Number 7109295.

Rebecca A. Cox
NOTARY PUBLIC

Certified True Copy

By [Signature]
Virginia Board of Nursing