

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

DAVID A. CREGGER, R.N.

CONSENT ORDER

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

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

FINDINGS OF FACT

1. David A. Cregger, R.N., was issued License No. 0001-204504 to practice professional nursing by the Virginia Board of Nursing on November 6, 2006. Said license is set to expire on April 30, 2012. Mr. Cregger was issued Certificate No. 1401-089312 to practice as a nurse aide, which expired on November 30, 2007. His primary state of residence is Virginia.

2. During the course of his employment with Marion Correctional Treatment Center, Marion, Virginia, on February 22, 2010, at 2:00 a.m., Mr. Cregger performed a drug count for Valium (diazepam, Schedule IV) without another staff member present. Mr. Cregger signed and dated the drug control administration sheet and falsely documented that the count was performed at 4:30 a.m. The oncoming nurse failed to visually count each pill and signed the drug control sheet confirming Mr. Cregger's count. A subsequent drug count at 2:10 p.m., revealed that two pills were unaccounted for. As a result of this incident, Mr. Cregger was placed on administrative leave pending resolution of the criminal charges, and he was terminated in October, 2010.

3. On September 20, 2010, in the General District Court of Smyth County, Virginia, Mr. Cregger was convicted of falsifying patient records, a misdemeanor. He was ordered to pay \$500 in fines and court costs.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code of Virginia (1950), as amended (“Code”), and 18 VAC 90-20-300(A)(2)(e) of the Regulations Governing the Practice of Nursing.

2. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(4) of the Code.

CONSENT

David A. Cregger, R.N., by affixing his signature hereon, agrees to the following:

1. He has been advised to seek advice of counsel prior to signing this document;
2. He acknowledges that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. He acknowledges that he 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 him;
4. He waives all such right to an informal conference;
5. He admits to the Findings of Fact contained herein and waives his right to contest such Findings of Fact in any subsequent proceeding before the Board;
6. He consents to the entry of the following Order affecting his 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. David A. Cregger, R.N., is hereby REPRIMANDED.
2. Mr. Cregger shall maintain a course of conduct in his 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, R.N., M.S.M., C.S.A.C.
 Executive Director, Virginia Board of Nursing

ENTERED: January 10, 2011

SEEN AND AGREED TO:

David A. Cregger R.N.
 David A. Cregger, R.N.

Certified True Copy
 By *Jamara Farmer*
 Virginia Board of Nursing

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

Subscribed and sworn to before me, Nancy Spraker a Notary Public, this 29th day of December 2010.

My commission expires 9-30-2011

Registration Number #175992

Nancy Spraker
 NOTARY PUBLIC

