

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: NEEKA BARROW, R.N. REINSTATEMENT APPLICANT
License No.: 0001-223470

NOTICE OF HEARING

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), Neeka Barrow, who, prior to its suspension by the Department of Health Professions on January 14, 2013, held License No. 0001-223470 to practice professional nursing in Virginia, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on **July 16, 2013, at 1:30 p.m.**, at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Ms. Barrow will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Barrow has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. Barrow desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to receive and act upon Ms. Barrow's application for reinstatement of her license to practice professional nursing in Virginia, which was mandatorily suspended by Order of the Department of Health Professions entered January 14, 2013, and to inquire into evidence that Ms. Barrow may have violated certain laws and regulations governing professional nursing practice in Virginia, as more fully set forth in the Statement of Particulars below.

The burden rests upon Ms. Barrow, as the petitioner, to demonstrate that she is capable of resuming the safe and competent practice of professional nursing in Virginia.

Pursuant to § 54.1-2409(D) of the Code, reinstatement of Ms. Barrow's license requires the affirmative vote of three-fourths of the members of the Board in attendance at the hearing.

STATEMENT OF PARTICULARS

The Board alleges that:

1. Neeka Barrow, R.N. Reinstatement Applicant, may have violated § 54.1-3007(2), (5), and (6) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing in that during the course of her employment with Sentara Norfolk General Hospital, Norfolk, Virginia, between about December 10, 2012, and January 6, 2013, Ms. Barrow diverted narcotic medication for her personal and unauthorized use. Specifically:
 - a. On or about January 6, 2013, at 3:54 p.m., she withdrew 5 mg of oxycodone (Schedule II) for Patient A, who was not assigned to her, and she failed to account for its administration, wastage, or return.
 - b. On or about December 13, 2012, at 6:45 a.m., she withdrew 2 mg of hydromorphone (Schedule II) for Patient B, and she failed to account for its administration, wastage, or return.
 - c. On or about December 12, 2012, at 11:09 p.m., she withdrew 2 mg of hydromorphone for Patient C, and she failed to account for its administration, wastage, or return.
 - d. On or about December 12, 2012, at 5:20 a.m., she withdrew 2 mg of hydromorphone for Patient D, and she failed to account for its administration, wastage, or return.
 - e. On or about December 11, 2012, at 7:55 p.m., she withdrew 2 mg of hydromorphone for Patient E, who was not assigned to her, and she failed to account for its administration, wastage, or return.

f. On or about December 11, 2012, at 6:42 a.m., she withdrew 2 mg of hydromorphone for Patient F, and she failed to account for its administration, wastage, or return.

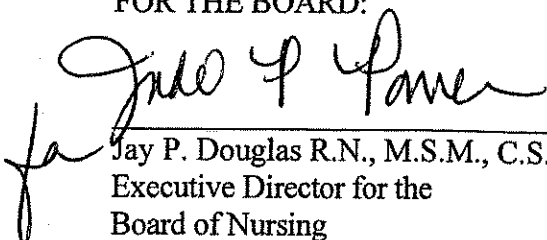
g. On or about December 11, 2012, at 12:09 a.m. and at 12:55 a.m., she withdrew a total of 4 mg of hydromorphone for Patient G, and she failed to account for its administration, wastage, or return.

h. On or about December 10, 2012, at 9:16 p.m., she withdrew 8 mg of morphine (Schedule II) for Patient G, and she failed to account for its administration, wastage, or return.

2. Ms. Barrow may be in violation of § 54.1-3007(6) of the Code in that she may be unable to safely practice professional nursing due to substance abuse and/or mental illness, as evidenced by her for-cause employment drug screen on January 11, 2013, which was positive for benzodiazepenes and opiates, her acknowledgement in her May 2, 2013, Participation Contract with the Health Practitioners' Monitoring Program that she has a history of substance abuse and psychiatric illness, her admitted use of non-prescribed morphine, Vicodin, and Xanax, and her admitted use of alcohol in mid-May 2013.

3. Ms. Barrow may be in violation of § 54.1-3007(7) of the Code in that her license to practice professional nursing in Nevada, License No. RN70611, was revoked by the Nevada Board of Nursing on May 2, 2013, and her license to practice professional nursing in North Carolina, License No. 238031, was voluntarily surrendered in lieu of disciplinary action to the North Carolina Board of Nursing on January 2, 2013. The surrender of the North Carolina license formed the basis for the suspension of Ms. Barrow's Virginia license by the Department of Health Professions.

FOR THE BOARD:


Jay P. Douglas R.N., M.S.M., C.S.A.C.
Executive Director for the
Board of Nursing

ENTERED: July 1, 2013