

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: SARAH MOONEY, L.P.N.
License No.: 0002-079268**

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Sarah Mooney, L.P.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Mooney's license to practice practical nursing in Virginia.

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

FINDINGS OF FACT

1. Sarah Mooney, L.P.N. was issued License No. 0002-079268 to practice practical nursing by the Virginia Board of Nursing on October 15, 2008. Said license is set to expire on March 31, 2016. Ms. Mooney's primary state of residence is Virginia.
2. On or about April 11, 2012, during the course of her employment at Riverside Convalescent Center – Smithfield, Smithfield, Virginia, Ms. Mooney diverted approximately 46 Vicodin tablets, for her personal use, from a storage cabinet where medications were kept that were meant to be destroyed. The tablets were found in her purse, by her employer, after her employer confronted her about the missing tablets. The empty medication punch card was found in a shred bin but the narcotic inventory sheet was not found.
3. On or about April 16, 2012 Ms. Mooney checked herself into Turning Point for substance abuse treatment. She completed her treatment on June 4, 2012.

4. Ms. Mooney was granted a stay of disciplinary action in October 2012 by the Virginia Board of Nursing in relation to the April 2012 incident, contingent on her compliance with the Health Practitioners' Monitoring Program ("HPMP").

5. While in HPMP Ms. Mooney's case manager randomly pulled Ms. Mooney's prescription monitoring program report. The report indicated that Ms. Mooney had failed to report three prescriptions for hydrocodone to her case manager. One prescription was from December 2013 and two were from February 2014.

6. Ms. Mooney's stay of disciplinary action was vacated on April 21, 2014.

7. As of July 2014 Ms. Mooney is in compliance with the HPMP.

CONCLUSIONS OF LAW

1. 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) and (e) of the Regulations Governing the Practice of Nursing.

2. Finding of Fact No. 3 constitutes a violation of §54.1-3007(6) of the Code.

CONSENT

Sarah Mooney, L.P.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 practical 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 upon Sarah Mooney's continued compliance with a Recovery Monitoring Contract with the HPMP pursuant to Chapter 25.1 of Title 54.1 of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPMP.

2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Mooney, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Mooney shall be noticed to appear before the Board at such time as the Board is notified that:

a. Ms. Mooney 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 Ms. Mooney involving a violation of law or regulation or any term or condition of this Order; or

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

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

3. Ms. Mooney shall maintain a course of conduct in her capacity as a practical 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


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

ENTERED: September 15, 2014

SEEN AND AGREED TO:

Sarah Mooney
Sarah Mooney, L.P.N.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Folk of Wash TO WIT:

Subscribed and sworn to before me, Unha M. Bradshaw Notary Public, this 29 day of August, 2014

My commission expires 2/28/2015

Registration Number 7102500



Unha M. Bradshaw
Commonwealth of Virginia
Notary Public
Commission No. 7102500
My Commission Expires 2/28/2015

Unha M. Bradshaw
NOTARY PUBLIC

Certified True Copy

By U. Robinson-Howes
Virginia Board of Nursing