

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: STACEY S. REYNOLDS, R.N.**  
**License No.: 0001-122637**

**ORDER**

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on August 4, 2014, in Henrico County, Virginia, to inquire into evidence that Stacey S. Reynolds, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia. Ms. Reynolds was present and was represented by Dante Filetti, Esquire.

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

**FINDINGS OF FACT**

1. Stacey S. Reynolds, R.N., was issued License No. 0001-122637 to practice professional nursing in the Commonwealth of Virginia on March 22, 1991. Said license expires on July 31, 2016 and is valid in Virginia only. Ms. Reynolds holds expired licenses in Hawaii, Connecticut and Rhode Island. Her primary state of residence is Virginia.
2. By letter dated June 18, 2014, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Reynolds notifying her that an informal conference would be held on August 4, 2014. The Notice was sent by certified and first class mail to 2056 White Water Drive, Virginia Beach, Virginia, 23456, the address of record on file with the Board of Nursing.
3. On December 13, 2010, Ms. Reynolds entered into a Participation Contract, and on January 24, 2011, she entered into a Recovery Monitoring Contract with the Health Practitioners’ Monitoring Program (“HPMP”), in which she acknowledged that substance abuse, mental illness and/or physical illness

may impact her ability to practice safely. On June 24, 2011, Ms. Reynolds received a stay of disciplinary action regarding the incidents of diversion referenced below. On February 3, 2014, the stay was vacated and Ms. Reynolds was dismissed from the HPMP for noncompliance. Specifically, Ms. Reynolds failed to call the drug screen test line on six occasions.

4. During the course of her employment with Sentara Leigh Hospital, Norfolk, Virginia, from May 2010 to November 4, 2010, Ms. Reynolds diverted Percocet (oxycodone/APAP, Schedule II) for her personal and unauthorized use. Ms. Reynolds accomplished the diversion by withdrawing medications from the Pyxis machines using patient names and keeping the medications for herself, sometimes documenting the medications as being wasted.

5. On April 24, 2012, in the Circuit Court of Norfolk, Virginia, Ms. Reynolds pled guilty to obtaining drugs by fraud and disposition was deferred. Ms. Reynolds was given first offender status and placed on probation for two years, with terms and conditions. On April 25, 2014, the court found that Ms. Reynolds successfully completed all requirements and the case was dismissed.

6. At the informal conference, Ms. Reynolds reported that she has continued individual and group therapy sessions and also sees an addictionologist. She has maintained her sobriety and reported a sobriety date of November 26, 2010.

7. Ms. Reynolds last practiced nursing in February, 2014. She is currently employed as an administrative assistant at a tree service company.

#### CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(6) of the Code.
2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(2), (5) and (6) of the Code and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing.

#### ORDER

On the basis of the foregoing, the Committee hereby ORDERS that Stacey S. Reynolds, R.N., shall be placed on PROBATION for a period of two years of actual nursing practice and subject to the following terms and conditions:

1. The period of probation shall begin on the date that this Order is entered and shall end at such time as Ms. Reynolds has completed two years of active practice in employment as a professional nurse (“practice employment”). The license of Ms. Reynolds **shall be reinstated without restriction at the completion of the probationary period without an administrative proceeding** unless there is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 2.2-4000 et seq. and § 54.1-2400(9) et seq. of the Code.
2. Ms. Reynolds shall not use alcohol or any other mood altering chemical, except as prescribed by a health care practitioner with whom she has a bona fide practitioner/patient relationship and for accepted medicinal or therapeutic purposes. Should she be prescribed any Schedule II-V controlled medication, a written report from the prescribing practitioner shall be provided to the Board within ten days of the date the medication is prescribed.
3. Ms. Reynolds shall be required to have one supervised, unannounced random drug screen a quarter, from a Board-approved testing entity, which includes testing for alcohol and the following drugs of choice: opiates and benzodiazepines. The Board shall be notified immediately in writing if Ms. Reynolds refuses to give a specimen for analysis as required by this Order, or of any positive results. All positive results must be confirmed by a confirmatory drug test, the results of which are to be sent to the Board immediately.

4. Ms. Reynolds shall attend Alcoholics Anonymous or Narcotics Anonymous support group meetings three to four times per week and shall have written evidence of attendance by a sponsor or contact person sent to the Board quarterly.

5. **Performance Evaluations** shall be provided to the Board, at the direction of Ms. Reynolds, by all practice employers, using the forms provided by Compliance and available on the Board's website.

6. Ms. Reynolds shall practice only in a **structured/supervised practice employment setting** satisfactory to the Board for the two years of probation. This employment setting shall provide on-site supervision by a professional nurse, who works the same shift, on the same level of the building, and holds an unrestricted license. For all current practice employment, and before beginning or changing practice employment during this period, Ms. Reynolds shall have current and all prospective practice employers provide a written description of the employment setting to the Board office for approval.

7. For the two years of practice employment after being placed on probation, Ms. Reynolds **shall not administer any Schedule II - V controlled substances**, the Schedule VI controlled substance Nubain, or any other controlled substances designated by the Board.

8. Ms. Reynolds **shall return all copies** of her license to practice as a professional nurse to the Board office within ten days of the date of entry of this Order, along with payment of a duplicate license fee as specified in the regulations governing nursing. **Upon receipt, the Board shall issue a replacement professional nurse license** marked "Valid in Virginia Only; Probation with Terms."

9. **Written reports are required** by this Order and, unless otherwise specified, shall be sent to *Compliance* at the Board offices with the first reports received in the Board office no later than 60 days from the date this Order is entered. **Subsequent reports must be received quarterly** by the last day of the months of **March, June, September and December** until the period of probation ends. Many of the required report forms are available on the Board's website for your convenience.

10. Ms. Reynolds shall **inform the Board in writing within ten days of the date any practice employment begins, changes, is interrupted, or ends.** Additionally, Ms. Reynolds shall provide a contact name, address, and phone number for each practice employer to the Board.

11. Ms. Reynolds shall **inform all current and future practice employers** that the Board has placed her on probation and Ms. Reynolds shall provide each practice employer with a complete copy of this Order. If Ms. Reynolds is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.

12. Ms. Reynolds shall **provide all current and future treating practitioners with a complete copy of this Order** and shall execute an *Authorization for Disclosure of Information* form providing for unrestricted communication between the Board, Compliance, and any treatment providers, court-appointed probation or parole officers, and any/or consultants designated by the Board, if applicable, to include individual and group therapy sessions with Peggy Lidstrom, L.C.S.W., and Michael Bohan, M.D.

13. Ms. Reynolds shall submit **“Self-Reports”** which include a current address, telephone number, and verification of any and all current practice employment. These reports shall also include any changes in practice employment status. **Self Reports must be submitted whether Ms. Reynolds has current practice employment or not.**

14. Ms. Reynolds shall conduct herself as a professional nurse in compliance with the requirements of Title 54.1, Chapter 30 of the Code and the Board of Nursing Regulations.

15. Any violation of the stated terms and conditions contained in this Order, or failure to **comply with all terms of this Order within five years** of the date of entry of the Order, shall be reason for suspending or revoking the license of Stacey S. Reynolds, R.N., and an administrative proceeding may be held to determine whether her license shall be suspended or revoked.

16. This Order shall be applicable to Ms. Reynolds' multistate licensure privilege, if any, to practice professional nursing. For the duration of this Order, Ms. Reynolds shall not work outside the Commonwealth of Virginia pursuant to a multistate licensure privilege without the express written permission of both the Virginia Board of Nursing and the Board of Nursing in the party state where she wishes to work. Any request for out of state employment should be directed, in writing, to the Executive Director of the Board.

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 on request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Reynolds may, not later than 5:00 p.m., on **September 28, 2014**, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:

*Glenn Mitchell*  
per Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.  
Executive Director, Virginia Board of Nursing

ENTERED: August 26, 2014

This Order shall become final on September 28, 2014, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By U. Robinson-Howes  
Virginia Board of Nursing