



# COMMONWEALTH of VIRGINIA

Department of Health Professions

Perimeter Center  
9960 Mayland Drive, Suite 300  
Henrico, Virginia 23233-1463

www.dhp.virginia.gov  
TEL (804) 367- 4400  
FAX (804) 527- 4475

Virginia Board of Nursing  
Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director

Board of Nursing (804) 367-4515  
Nurse Aide Registry (804) 367-4569  
FAX (804) 527-4455

March 13, 2014

Melissa Weant, R.N.  
1668 Rolling Lane  
Harpers Ferry, WV 25425

**CERTIFIED MAIL**  
7160 3901 9849 2200 4029

Re: VA License No.: 0001-187120  
Expiration Date: September 30, 2015

Dear Ms. Weant:

This is official notification that an informal conference will be held pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), **on April 14, 2014, at 1:00 p.m.**, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233. You may be represented by an attorney at the conference. This informal conference will be convened as a public meeting pursuant to § 2.2-3700 *et seq.* of the Code.

The Special Conference Committee ("Committee"), which is comprised of at least two members of the Virginia Board of Nursing ("Board"), will inquire into allegations that you may have violated certain laws and regulations governing nursing practice in Virginia.

Specifically:

1. You 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:

a. During the course of your employment with Sentara Port Warwick Emergency Department, Newport News, Virginia, between October 2009 and January 2010, by your own admission, you diverted Dilaudid (hydromorphone, Schedule II) from hospital supplies for your personal and unauthorized use.

b. During the course of your employment with Kaiser Permanente, McLean, Virginia, between April and June, 2013, you diverted Dilaudid for your personal and unauthorized use. You accomplished this diversion by using another employee's password to remove Dilaudid and witness wastages, withdrawing Dilaudid for patients who were not assigned to your unit, had not been checked in yet, or did not have orders for this medication, and withdrawing larger amounts of Dilaudid than necessary for patients' ordered doses.

2. You may have violated § 54.1-3007(6) of the Code in that you may be unable to safely practice nursing due to substance abuse and physical illness, as evidenced by the following: During the investigation of your diversion of Dilaudid from Sentara Port Warwick in 2010, you entered into a contract with the Health Practitioners' Monitoring Program ("HPMP") in which you acknowledged chemical abuse; You were granted a stay of disciplinary action with the understanding that you would comply with the requirements of the HPMP. The stay of disciplinary action was vacated on July 9, 2013, following your admission of continued use of Dilaudid, which you were not prescribed. You were dismissed from HPMP on November 18, 2013, due to your continued use of Dilaudid, your failure to attend treatment as scheduled, and the difficulty of monitoring you because of your ongoing medical issues that are treated with pain medications.

**The Board hereby offers to enter into the enclosed Consent Order with you in lieu of an informal conference in this matter. Please review this document, and should you consent to its terms, sign it in the presence of a notary public. In order for this Consent Order to become effective, you must return the entire document bearing your witnessed signature to the Board office on or before April 7, 2014. Upon its receipt in the Board office, the Consent Order will be entered upon approval by the full Board and the informal conference will be cancelled. You will receive a certified copy of the Consent Order, bearing the date of entry, shortly thereafter. Should the Board not receive this signed Consent Order from you by 5:00 p.m. on April 7, 2014, the Board will proceed with the informal conference as scheduled.**

In its deliberations, the Committee may use the Sanction Reference Points System, as contained in the Sanction Reference Manual. The manual, which is a guidance document of the Board, may be accessed at <http://www.dhp.virginia.gov/nursing>. Please click on *Guidance Documents*, then select #90-7. You may also request a paper copy from the Board office by calling (804) 367-4515.

After the informal conference, the Committee is authorized by § 54.1-2400(10) of the Code to take any of the following actions:

- If the Committee finds that there is insufficient evidence to warrant further action or that the charges are without foundation, the Committee shall notify you by mail that your record has been cleared of any charge which might affect your right to practice nursing in the Commonwealth;
- The Committee may place you on probation for such time as it may designate and subject to such terms and conditions as it may deem appropriate;
- The Committee may reprimand you;
- The Committee may impose a monetary penalty.

Further, the Committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing. If the Committee is of the opinion that suspension or revocation may be justified, the Committee may offer you a Consent Order for suspension or revocation in lieu of a formal hearing.

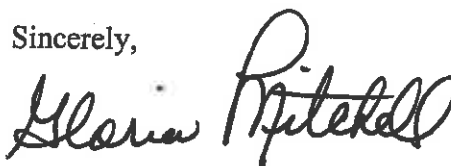
If you fail to appear at the informal conference, the Committee may proceed to hear the case in your absence and may take any of the actions outlined above. At least ten days prior to the scheduled date of the conference, please inform this office at (804) 367-4515, or in writing at the address listed above, of your telephone number and whether you intend to appear at the informal conference.

To facilitate this proceeding, you should submit five copies of any documents you wish the Committee to consider to the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, by **April 7, 2014**. Your documents may not be submitted by facsimile or email.

You have the right to the information on which the Board will rely in making its decision. Therefore, I have enclosed a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the original notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of nursing and other healing arts in Virginia cited in this notice, can be found on the Internet at <http://leg1.state.va.us>. To access this information, please click on the *Code of Virginia* for statutes and *Virginia Administrative Code* for regulations.

Sincerely,



Gloria D. Mitchell, R.N., M.S.N., M.B.A.  
Deputy Executive Director, Discipline

GDM/sts

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division  
Special Conference Committee Members  
Michele Crone, Senior Investigator (Case No. 152617)  
Anthony Sellers, Senior Investigator (Case No. 130275)