

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: LISA M. VINES, R.N.**

**ORDER**

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on June 19, 2007, in Henrico County, Virginia. Ms. Vines was present and was not represented by legal counsel. Patricia Selig, Ph.D., F.N.P., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On September 19, 2007, the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Vines was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

**FINDINGS OF FACT**

1. Lisa M. Vines was issued License No. 0001-148840 to practice professional nursing in the Commonwealth of Virginia on June 27, 1996. Said license is set to expire on July 31, 2009.
2. By letter dated May 23, 2007, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Vines notifying her that an informal conference would be held on June 19, 2007. The Notice was sent by certified and first class mail to Ms. Vines at 1140 Birdneck Lake Drive, Virginia Beach, Virginia 23451, the address of record on file with the Board of Nursing. The Notice was also sent to Ms. Vines at 231 NE 59<sup>th</sup> Ct., Ft. Lauderdale, Florida 33334, a secondary address.
3. By her own admission, Ms. Vines diverted Demerol (meperidine, Schedule II), Percocet (oxycodone, Schedule II), and Restoril (benzodiazepine, Schedule IV) for her own personal and

unauthorized use from 2003 through April 2005, during the course of her employment with Intelistaff Staffing Agency, while assigned to Bethesda Medical Center, Ft. Lauderdale, Florida. As a result of said diversion, her employment was terminated.

4. Ms. Vines entered the Intervention Project for Nurses in Florida (“IPN”) under an IPN Advocacy Contract with effective dates of May 4, 2005, through May 4, 2010. In July 2005, Ms. Vines returned to Virginia and entered into a Participation Contract with the Health Practitioners’ Intervention Program (“HPIP”), on July 11, 2005, 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 HPIP. This was done with the understanding that the program is to assist those persons who have impairment, defined as “a physical or mental disability, including, but not limited to substance abuse, that substantially alters the ability of a practitioner to practice his profession with safety to his patients and the public.”

5. Linda Kleiner, HPIP case manager, was present at the conference, and stated that upon Ms. Vines’ entry into the HPIP, she was evaluated, and residential treatment was recommended. On December 16, 2005, Ms. Vines was dismissed from the HPIP for non-compliance with the terms of her contract in that she continued to use unauthorized substances, failed to report for required drug screens, and failed to enter and complete the treatment recommendation of the HPIP due to her returning to Florida and voluntarily entering into a substance abuse program. Following her return to Florida, Ms. Vines also executed a new IPN Contract with active monitoring dates of October 31, 2005, through October 31, 2010.

6. Ms. Vines reported a sobriety date of September 28, 2005. She also submitted documentation from her IPN case manager, who reported that, to date, all of Ms. Vines’ urine drug screens have been negative and that she was currently an active and compliant participant in IPN.

Moreover, Ms. Vines provided evidence that she is involved in a 12-step recovery program, has a sponsor, and attends support group meetings on a regular basis.

7. Ms. Vines began employment with a hospital in Florida in September 2006, after being evaluated by an addictionologist and gaining approval from IPN to return to nursing. Ms. Vines submitted a positive IPN Work Performance Evaluation completed by her immediate supervisor. Ms. Vines further reported that per her contract with IPN, her practice is restricted to administering only non-narcotic medication, with said restriction to be lifted in September 2007.

#### **CONCLUSIONS OF LAW**

The Board concludes that Finding of Fact #3 constitutes a violation of § 54.1-3007(2), (5) and (6) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Board of Nursing Regulations.

#### **ORDER**

WHEREFORE, having considered and adopted the recommended Findings of Fact and Conclusions of Law, it is hereby ORDERED that:

1. License No. 0001-148840 of Lisa M. Vines, R.N., is INDEFINITELY SUSPENDED.

2. The license will be recorded as suspended and no longer current.

3. This suspension shall be STAYED contingent expressly upon Ms. Vines' continued compliance with the following terms and conditions:

a. Ms. Vines shall comply with all terms and conditions for the period specified by IPN.

b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of Ms. Vines' license, and an

administrative proceeding shall be held to determine whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:

- i. Ms. Vines is not in compliance with the terms and conditions specified by IPN;
- ii. Ms. Vines' participation in IPN has been terminated;
- iii. There is a pending investigation or unresolved allegation against Ms. Vines involving a violation of law, regulation, or any term or condition of this order.

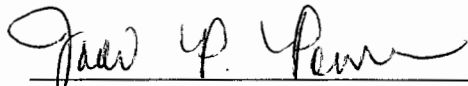
4. This suspension is applicable to Ms. Vines' multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. Ms. Vines shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where she wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

5. Ms. Vines shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

This Order is subject to appeal to the Board. If Ms. Vines desires a formal administrative hearing before the Board pursuant to §§ 2.2-4020 and 2.2-4021 of the Code, she must notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 West Broad Street, Richmond, Virginia 23230, in writing, within thirty-three (33) days from the date of service of this Order. Upon the filing of a request for the hearing with the Executive Director, this Order shall be vacated.

Pursuant to § 54.1-2400.2(F) of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.


FOR THE BOARD

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

Entered: September 28, 2007

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed this day to Lisa M. Vines at 1140 Birdneck Lake Drive, Virginia Beach, Virginia 23451, the address of record on file with the Board of Nursing. The Order was also mailed to 231 NE 59<sup>th</sup> Ct., Ft. Lauderdale, Florida 33334, a secondary address.

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

September 28, 2007  
DATE