

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: DONNA MURPHY, R.N.
 License No.: 0001-077843**

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Donna Murphy, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Murphy's license to practice professional nursing in Virginia.

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

FINDINGS OF FACT

1. Donna Murphy, R.N., was issued License No. 0001-077843 to practice professional nursing by the Virginia Board of Nursing on September 10, 1980. Said license is set to expire on October 31, 2014. Ms. Murphy's primary state of residence is Virginia.
2. By Consent Order entered August 19, 2009, no action was taken against Ms. Murphy's license contingent upon her continued compliance with the Health Practitioners' Monitoring Program ("HPMP"). Ms. Murphy entered the HPMP on March 5, 2008, after diverting narcotic medication from a patient for her own personal and unauthorized use, while employed with Halifax Regional Hospital, South Boston, Virginia. Ms. Murphy has signed 13 Recovery Monitoring Contracts, with the last signed on May 30, 2013.
3. Term 1 of the Consent Order entered August 19, 2009, required Ms. Murphy to continue to comply with the terms and conditions of the HPMP, for the period specified by the HPMP. On November 18, 2013, Ms. Murphy was dismissed from the HPMP for non-compliance with her Recovery Monitoring Contract. Ms. Murphy missed calling the screening test line on July 21, 2013, tested positive for

hydrocodone on November 11, 2011 and March 25, 2013, and tested positive for alcohol on September 3, 2013.

4. On April 11, 2013, Ms. Murphy was terminated from Halifax Regional Hospital, as a Patient Resource Manager, as a result of her relapse on March 25, 2013.

5. Ms. Murphy admitted drinking a beer on August 31, 2013, which resulted in her positive screen for alcohol. Ms. Murphy was given a deadline of September 24, 2013, by her HPMP case manager to enter a multi-day evaluation. On September 23, 2013, she notified her case manager that she could not enter a multi-day evaluation due to financial reasons and being the primary caregiver to her 90 year old mother.

6. When interviewed by an investigator for the Department of Health Professions on January 7, 2014, Ms. Murphy stated that she was currently unemployed.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of Term No. 1 of the Consent Order entered August 19, 2009.

CONSENT

Donna Murphy, R.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 professional 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. License No. 0001-077843 of Donna Murphy to practice professional nursing is INDEFINITELY SUSPENDED.

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

3. At such time as Ms. Murphy shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Murphy shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.

4. This suspension applies to any multistate privilege to practice professional nursing.

5. Ms. Murphy is hereby REPRIMANDED.

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

Jane Ingalls
Jane Ingalls, R.N., Ph.D.
President, Virginia Board of Nursing

ENTERED: July 15, 2014

SEEN AND AGREED TO:

Donna Murphy R.N.
Donna Murphy, R.N.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Halifax, TO WIT:

Subscribed and sworn to before me, Miranda Hope Long, a Notary Public, this 21st day of May, 2014.

My commission expires 10-31-18

Registration Number 7582042



Miranda Hope Long
NOTARY PUBLIC

Certified True Copy

By [Signature]
Virginia Board of Nursing