

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

REBECCA PARHAM, L.P.N.
License No.: 0002-046223

CONSENT ORDER

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

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

FINDINGS OF FACT

1. Rebecca Parham, L.P.N., was issued License No. 0002-046223 to practice practical nursing by the Virginia Board of Nursing on May 28, 1992. Said license is set to expire on December 31, 2013. Ms. Parham also holds a license to practice practical nursing in North Carolina, which is expired. Her primary state of residence is Virginia.
2. From September 2008, to February 2009, Ms. Parham fraudulently obtained Robaxin (methocarbamol, Schedule VI), Phenergan (promethazine, Schedule VI), Zanaflex (tizanidine, Schedule VI), and Tylenol #3 (acetaminophen/codeine, Schedule III). She accomplished the fraud by calling pharmacies and identifying herself as a nurse practitioner at Commonwealth Surgeons, Richmond, Virginia, where she received care, and prescribing herself medications.
3. Ms. Parham's current diagnosis is opioid dependence and major depression.
4. Ms. Parham signed a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") on March 11, 2009. Ms. Parham signed multiple Recovery Monitoring Contracts with the HPMP, with the last one being signed on July 8, 2012. She was granted a stay of disciplinary action in August 2009 with the understanding that she would remain compliant with all terms and conditions of the HPMP. The stay of disciplinary action was vacated on June 28, 2012, due to Ms. Parham's urine drug screen

testing positive for tramadol (Schedule IV).

6. On September 13, 2012, Ms. Parham's substance abuse counselor stated to a Department of Health Professions investigator that Ms. Parham is in compliance with her counseling appointments.
7. As of this date, Ms. Parham continues to participate in the HPMP.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2) and (6) of the Code of Virginia (1950), as amended ("Code"), and 18 VAC 90-20-300(A)(2)(c) 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

Rebecca Parham, 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 on Rebecca Parham's continued compliance with the HPMP for the period specified by the HPMP.
2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Parham, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Parham shall be noticed to appear before the Board at such time as the Board is notified that:
 - a. She 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 her involving a violation of law or regulation or any term or condition of this Order; or
 - c. She has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of evidence of Ms. Parham's participation in and compliance with the HPMP, the Board, at its discretion, may waive her appearance before the Board and conduct an administrative review of this matter.
3. This Order is applicable to Ms. Parham's multistate licensure privileges, if any, to practice practical nursing. For the duration of this Order, Ms. Parham 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.

4. Ms. Parham 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:

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

ENTERED: *January 29, 2013*

SEEN AND AGREED TO:

Rebecca J. Parham Lpn
Rebecca Parham, L.P.N.

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

Subscribed and sworn to before me, Leslie Kubasek, a Notary Public, this 23 day of January, 2013.

My commission expires 8-31-15.

Registration Number 7500312.

Leslie Kubasek
NOTARY PUBLIC

Certified True Copy

By: *[Signature]*
Virginia Board of Nursing

LESLIE A KUBASEK
NOTARY PUBLIC
REGISTRATION # 7500312
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
AUGUST 31, 2015