

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: TANYA C. SMITH, R.N.**  
**License No.: 0001-206920**

**ORDER**

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on May 21, 2014, in Henrico County, Virginia, to inquire into evidence that Tanya C. Smith, R.N., may have violated certain laws and regulations governing nursing practice in Virginia. The case was presented by Amanda E. M. Blount, Adjudication Specialist, Administrative Proceedings Division. Erin Barrett, Assistant Attorney General, was present as legal counsel for the Board. Ms. Smith was not present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. Tanya C. Smith, R.N., was issued License No. 0001-206920 to practice professional nursing in the Commonwealth of Virginia on June 7, 2007. Said license expired on February 4, 2014, due to change of primary state of residence to Texas.
2. Based upon the representations of Amanda E. M. Blount, Adjudication Specialist, and Commonwealth's Exhibits #1 and #3, the Notice of Formal Hearing and Statement of Particulars, and the Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to Ms. Smith and the hearing proceeded in her absence.
3. Between June 2012, and March 2013, during the course of her employment with Sentara Virginia Beach General Hospital, Virginia Beach, Virginia, Ms. Smith diverted Benadryl from patient supplies and controlled substances that had been wasted, which she self-administered, while both on-duty

and off-duty.

4. When interviewed by an investigator with the Virginia Department of Health Professions on March 19, 2013, Ms. Smith admitted that the items found in the bathroom of Sentara Virginia Beach General Hospital on March 12, 2013, were items that she used to try to self-inject with midazolam (Versed, Schedule IV), while on duty, from a bottle she found in the sharps container, but she stated that she could not "hit the vein." Ms. Smith said she researched midazolam on-line and chose that drug because she thought it would help her "chill out." Additionally, Ms. Smith admitted she diverted vials of Benadryl from Omnicell. She stated she took home needles and syringes with the Benadryl to self-inject to try to help her sleep.

5. Ms. Smith entered the Health Practitioners' Monitoring Program ("HPMP") on April 11, 2013, and signed a Recovery Monitoring Contract on April 29, 2013. However, she was dismissed from HPMP on June 28, 2013, based on her request to resign from the program due to her indication that she could not afford treatment or screening.

### **CONCLUSIONS OF LAW**

The Board concludes that Finding of Fact No. 3 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**

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

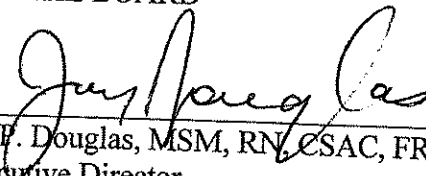
1. The right of Tanya C. Smith to renew License No. 0001-206920 to practice professional nursing in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED.
2. The license will be recorded as SUSPENDED and no longer current. Should Ms. Smith seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license prior to issuance of her license to resume practice.
3. At such time as Ms. Smith shall petition the Board for reinstatement of her license, an

administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of professional nursing.

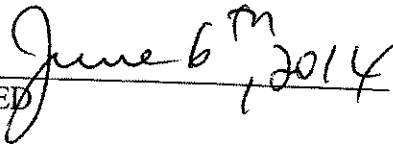
4. This Order shall be applicable to Smith's multistate licensure privileges, if any, to practice professional nursing.

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.

FOR THE BOARD



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



ENTERED

### NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

**Certified True Copy**

By   
Virginia Board Of Nursing