

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:           ASHLEY ALEXANDER, R.N.**  
**License No.: 0001-203966**

**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 February 25, 2014, in Henrico County, Virginia. Ashley Alexander, R.N., was present and was not represented by legal counsel. Judith E. Piersall, R.N. B.S.N., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On May 21, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Alexander 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. Ashley Alexander, R.N., was issued License No. 0001-203966 to practice professional nursing by the Virginia Board of Nursing on September 28, 2006. Said license is set to expire on June 30, 2014. Her primary state of residence is Virginia.
2. By letter dated January 31, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Alexander notifying her that an informal conference would be held on February 25, 2014. The Notice was sent by certified and first class mail to 4937 Valley Crest Drive, Apt. 205, Midlothian, Virginia 23112, the address of record on file with the Board of Nursing.
3. Between July 1, 2013, and October 22, 2013, during the course of her employment with CJW Medical Center, Richmond, Virginia, Ms. Alexander diverted approximately 52 Percocet 325mg

tablets (oxycodone and acetaminophen, Schedule II) for her own personal and unauthorized use. In at least one instance, Ms. Alexander documented having administered the medication to a patient when she did not actually do so.

4. Ms. Alexander admitted to an addiction to narcotic pain medication. She stated that her drug of choice was tramadol, which she used over the course of two years to treat fibromyalgia. She indicated that when she ran out of the medication, she would substitute with Percocet.

5. Ms. Alexander reported that was arrested on December 16, 2013, for obtaining fraudulent prescriptions, which she accomplished over a period of six months by calling in prescriptions using the DEA number on her prescription. She stated that she has been charged with ten counts of prescription fraud, and has been doing pretrial services since January 2, 2014. She stated that her next scheduled court date is March 24, 2014.

6. Ms. Alexander stated that she was hired at CJW Medical Center on April 1, 2013, and started diverting in July, 2013. She also reported being employed with VCU from June 2008, until February 2013, when her employment was terminated for attendance issues. She further stated that she was employed with Southside Regional Medical Center from September 2006, until December 2009, when she left for her employment with VCU.

7. Ms. Alexander reported her sobriety date as December 17, 2013, and stated that she has a great support system. She also stated that she is using over-the-counter medications to treat her pain, and that she is currently employed in a non-nursing related position in order to pay for her necessary treatment. She stated she never denied a patient pain medication. She expressed remorse for her actions.

8. Ms. Alexander indicated that she has contacted the Health Practitioners' Monitoring Program ("HPMP"), and is waiting for her participation contract to be sent to her in the mail.

**CONCLUSIONS OF LAW**

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), (6), and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing.
2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code.

**ORDER**

WHEREFORE, it is hereby ORDERED as follows:

1. The Board shall TAKE NO ACTION contingent upon proof of Ashley Alexander's entry into the Health Practitioners' Monitoring Program ("HPMP") within 30 days of the date of entry of this Order. Thereafter, Ms. Alexander shall comply with the terms and conditions of 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 Ashley Alexander, R.N., and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Alexander shall be noticed to appear before the Board at such time as the Board is notified that:
  - a. Ms. Alexander has failed to make application to the HPMP;
  - b. Ms. Alexander is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
  - c. There is a pending investigation or unresolved allegation against Ms. Alexander involving a violation of law or regulation or any term or condition of this Order; or
  - d. Ms. Alexander has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Alexander's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Alexander's appearance before the Board and conduct an administrative review of this matter.

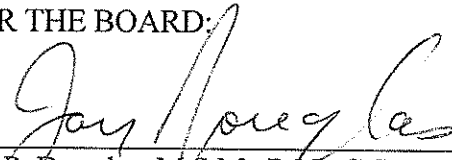
3. This Order is applicable to Ms. Alexander's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Alexander shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of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

4. Ms. Alexander 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.

Pursuant to § 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 a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Alexander may, not later than 5:00 p.m., on **July 7, 2014**, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD:



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

ENTERED: June 5, 2014 <sup>TM</sup>

This Order shall become final on July 7, 2014, unless a request for a formal administrative

hearing is received as described above.