

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: ADRIENNE CICIO, R.N.
 License No.: 0001-165306**

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 January 9, 2014, in Henrico County, Virginia. Adrienne Cicio, R.N., was present and was represented by Michael Goodman, Esquire. Janet B. Younger, Ph.D., R.N., P.N.P., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On March 19, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Cicio was not present but was represented by Michael Goodman, Esquire.

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. Adrienne M. Cicio, R.N., was issued License No. 0001-165306 to practice professional nursing in Virginia on July 16, 1999. The license is scheduled to expire on November 30, 2015. Her primary state of residence is Virginia. By Order of the Board entered July 15, 2008, Ms. Cicio's license to practice professional nursing was indefinitely suspended with said suspension stayed upon entry into and compliance with the Health Practitioners' Monitoring Program ("HPMP") [formerly the Health Practitioners' Intervention Program]. Said action was based on findings that Ms. Cicio made multiple withdrawals of narcotics and failed to document administration. By Order entered December 10, 2010, Ms. Cicio was reprimanded and her license was reinstated contingent upon her compliance with the HPMP. Said action was based on findings that prior to the suspension of her license, Ms. Cicio

fraudulently obtained Vicodin (hydrocodone, Schedule III) by calling in prescriptions for herself using the names and DEA numbers of other healthcare providers, which resulted in a criminal conviction.

2. By letter dated October 16, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Cicio notifying her that an informal conference would be held on November 14, 2013. The Notice was sent by certified and first class mail to 4310 Cannon Ridge Court, Unit P, Fairfax, Virginia 22033, the address of record on file with the Board of Nursing. Subsequently, Ms. Cicio requested a continuance. By letter dated November 5, 2013, the Board notified Ms. Cicio that an informal conference would be held on January 9, 2014.

3. Ms. Cicio entered the HPMP on September 21, 2009, due to chemical dependency and mental health issues. In a report dated January 7, 2013, the HPMP case manager stated that Ms. Cicio was approved to look for nursing employment on January 3, 2011. On April 13, 2011, Ms. Cicio's therapist reported that Ms. Cicio had been practicing as a patient care coordinator at Pro-Active Wellness since April 10, 2011, without permission from the HPMP. Ms. Cicio was placed on pre-dismissal status and required to refrain from practice until her contract was revised to include the work requirements. Ms. Cicio was subsequently terminated from Pro-Active Wellness.

4. In a letter to the Board dated February 15, 2013, Pro-Active Wellness reported that Ms. Cicio was terminated on May 11, 2011, due to failure to maintain a sterile environment during intravenous ("IV") preparation and a general inability to perform the primary function (IV administration) for which she was hired.

5. On January 10, 2013, Ms. Cicio was dismissed from the HPMP for accepting employment in another healthcare setting without notifying the HPMP. Ms. Cicio was employed by a chiropractor at Lifelong Health and Weight Loss from December 21, 2012 to July 2013. Ms. Cicio reported the employment

to her case manager on January 3, 2013, and during the conversation, Ms. Cicio became defensive and verbally abusive.

6. At the informal conference, Ms. Cicio stated that she did not request approval for the position at Lifelong Health and Weight Loss because the position was for a receptionist in a chiropractic setting. She views chiropractic practice as an alternative practice, not as standard healthcare. Ms. Cicio reported a sobriety date of November 14, 2009, and stated that she attends Caduceus and Co-Dependents Anonymous ("CoDA") meetings. Ms. Cicio also provided drug screen results that she arranged to have conducted by the Harrison House, a statement from her psychiatrist, and a letter from The Learning Experience verifying her employment as an early childhood teacher since July 8, 2013.

7. Ms. Cicio has a history of noncompliance with Board Orders as referenced above. Ms. Cicio was initially disciplined by an Order of the Board entered September 23, 2003, wherein she was placed on indefinite probation due to findings that she altered a patient's prescription without consulting the physician.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of Term No. 4 of the Board Order entered December 10, 2010.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Adrienne Cicio, R.N., is hereby REPRIMANDED.
2. License No. 0001-165306 of Adrienne Cicio, R.N., is INDEFINITELY SUSPENDED.
3. The license will be recorded as suspended and no longer current.
4. At such time as Ms. Cicio 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. Cicio 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.

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

6. This suspension shall be STAYED upon proof of Ms. Cicio's re-entry into the HPMP. At such time, the indefinite suspension shall be STAYED and the following terms and conditions shall apply:

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

b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Ms. Cicio, 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. Cicio is not in compliance with the terms and conditions specified by the HPMP;

ii. Ms. Cicio's participation in the HPMP has been terminated;

iii. There is a pending investigation or unresolved allegation against Ms. Cicio involving a violation of law, regulation, or any term or condition of this order.

7. This Order is applicable to Ms. Cicio's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Cicio 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.

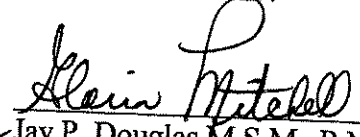
8. Ms. Cicio shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

9. Upon receipt of evidence of Ms. Cicio's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Cicio's appearance before the Board, and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

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.

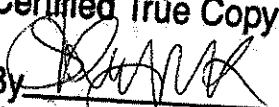
Pursuant to Section 54.1-2400(10) of the Code, Ms. Cicio may, not later than 5:00 p.m., on May 12, 2014, notify Jay P. Douglas M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative 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:


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

ENTERED: April 9, 2014

This Order shall become final on May 12, 2014 unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 
Virginia Board of Nursing