

VIRGINIA:

BEFORE THE BOARD OF NURSING

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

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 January 28, 2015, in Henrico County, Virginia, to inquire into evidence that Adrienne Cicio, R.N., may have violated certain terms and conditions imposed on her as set forth in an Order of the Board entered April 9, 2014. The case was presented by Amanda E. M. Blount, Adjudication Specialist, Administrative Proceedings Division. James Rutkowski, Assistant Attorney General, was present as legal counsel for the Board. Ms. Cicio was 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. Adrienne Cicio, R.N., held License No. 0001-165306 to practice professional nursing in the Commonwealth of Virginia, which was issued on July 16, 1999. Her primary state of residence is Virginia. By Order of the Board entered April 9, 2014 ("Board's Order"), Ms. Cicio's license to practice professional nursing in the Commonwealth of Virginia was indefinitely suspended with said suspension stayed contingent upon her re-entry into and compliance with the Health Practitioners' Monitoring Program ("HPMP"). This action was based on findings related to her dismissal from the HPMP on January 10, 2013, in violation of an Order of the Board entered on December 10, 2010. The stay of indefinite suspension was thereafter summarily rescinded on October 10, 2014, pursuant to a

notice of Ms. Cicio's dismissal from the HPMP on August 28, 2014.

2. 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. By Order of the Board entered January 26, 2005, Ms. Cicio was released from probation upon review and evidence that she had complied with the terms and conditions of her probation. 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 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 their administration. She was dismissed from the HPMP on February 20, 2009, for failing to submit to drug screens when required. 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. She was dismissed from the HPMP on January 10, 2013, for accepting employment in another healthcare setting without notifying the HPMP.

3. On May 13, 2014, Ms. Cicio signed a participation contract with the HPMP following the Order of the Board entered April 9, 2014, her third HPMP enrollment. On August 28, 2014, Ms. Cicio was dismissed from the HPMP for noncompliance with the terms of her contract in that she submitted a letter of resignation from the program.

4. Ms. Cicio testified that she wanted to be in the HPMP, but could not afford the required assessment. She testified that she would comply with all terms of the HPMP and would find the

money to do the assessment.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 3 constitutes a violation of Term No. 6 of the Board's Order entered April 9, 2014.

ORDER

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

1. Adrienne Cicio, R.N., is hereby REPRIMANDED.
2. License No. 0001-165306 issued to Adrienne Cicio, R.N., to practice professional nursing in the Commonwealth of Virginia is CONTINUED on INDEFINITE SUSPENSION.
3. The license of Ms. Cicio will be recorded as SUSPENDED. Should Ms. Cicio 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.
4. This Order shall be applicable to Ms. Cicio's multistate licensure privileges, if any, to practice professional nursing.
5. Said suspension shall be STAYED upon proof that Ms. Cicio has re-entered into a contract with the HPMP and upon the condition that she remain compliant with the terms of the HPMP and the following terms and conditions:
 - a. Ms. Cicio 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 Adrienne Cicio, R.N., and an administrative proceeding shall be held to decide 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, or has been terminated from participation in the HPMP, or
- ii. There is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of this Order.

6. 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.

7. This Order shall be applicable to Ms. Cicio's multistate licensure privileges, if any, to practice professional nursing. It is further ordered that for the duration of this Order, Ms. Cicio may 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.

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.

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

Feb. 6, 2015
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, MSM, RN, CSAC, FRE, 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 *draham*
Virginia Board Of Nursing