

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:**

**ELIZABETH COOKE, L.P.N.**

**License No.: 0002-050774**

**ORDER**

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on February 11, 2013, in Henrico County, Virginia, to inquire into evidence that Elizabeth Cooke, L.P.N., may have violated certain laws and regulations governing practical nursing practice in Virginia. Ms. Cooke was present and was not represented by counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. Elizabeth Cooke, L.P.N., was issued License No. 0002-050774 to practice practical nursing in the Commonwealth of Virginia on April 26, 1995. Said license expires on February 28, 2013. Ms. Cooke’s primary state of residence is Virginia.
2. By letter dated January 15, 2013, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Cooke notifying her that an informal conference would be held on February 11, 2013. The Notice was sent by certified and first class mail to 730 Aintree Place, Staunton, Virginia, 24401, the address of record on file with the Board of Nursing.
3. During the course of her employment with Avante of Waynesboro, Ms. Cooke diverted Effexor and an unidentified thyroid medication from the facility medication cart for her personal and unauthorized use and consumed the tablets in the presence of another staff member.
4. Ms. Cooke denied taking the medication from the facility medication cart.

5. During the course of her employment with Avante of Waynesboro, Ms. Cooke gave multiple hydrocodone (Schedule III) tablets to a co-worker from her personal supply without a physician's order and without prescriptive authority to do so.

6. At the informal conference, Ms. Cooke admitted to giving one to two hydrocodone tablets to a co-worker on a single occasion. However, she stated to an investigator for the Department of Health Professions (“DHP”) that she gave her co-worker four tablets on two to three occasions.

7. In a September 27, 2012, interview with the DHP investigator, the same co-worker stated that she had asked Ms. Cooke for Vicodin on several occasions. In an undated letter to the Board that Ms. Cooke presented at the informal conference, the co-worker stated that Ms. Cooke had given her Vicodin only one time, which is inconsistent with her statement to the DHP investigator.

8. Ms. Cooke is currently taking Synthroid, hydrochlorothiazide, Vicodin and Adderall, all of which are prescribed to her.

9. Ms. Cooke remains employed at Avante of Waynesboro.

### **CONCLUSIONS OF LAW**

1. Finding of Fact No. 3 constitutes a violation of 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing (“Regulations”).

2. Finding of Fact No. 5 constitutes a violation of 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(a) of the Regulations.

### **ORDER**

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. Elizabeth Cooke, L.P.N., is hereby REPRIMANDED.
2. Ms. Cooke shall provide the Board with verification that she has completed the following NCSBN online courses within 45 days of the date this Order is entered: *Disciplinary Actions: What Every Nurse Should Know* and *Nurse Practice Act for Virginia*.

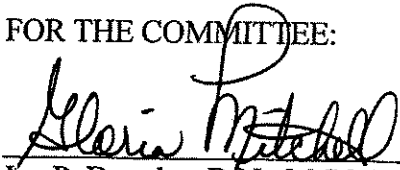
3. Ms. Cooke shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

4. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. Cooke and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Cooke may, not later than 5:00 p.m., on April 10, 2013, notify Jay P. Douglas, 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 COMMITTEE:

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

ENTERED: March 8, 2013

This Order shall become final on April 10, 2013 unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By   
Virginia Board of Nursing