

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: AMANDA G. PRATT-SMITH, R.N.
License No.: 0001-208837

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Amanda G. Pratt-Smith, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Pratt-Smith's license to practice professional nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Amanda G. Pratt-Smith, R.N., was issued License No. 0001-208837 to practice professional nursing by the Virginia Board of Nursing on August 13, 2007. Said license is set to expire on September 30, 2013. Her primary state of residence is Virginia
2. During the course of her employment as a professional nurse at Cuidado Casero Home Care of Virginia, Fredericksburg, Virginia, between October 26, 2010 and November 29, 2010, Ms. Pratt-Smith called in five prescriptions for hydromorphone (Schedule II) to a local pharmacy. These prescriptions were allegedly for a patient. The prescriptions were never authorized by a physician and were not intended for the patient. Ms. Pratt-Smith picked up the prescriptions for her personal and unauthorized use.
3. When confronted, Ms. Pratt-Smith admitted that she had a substance abuse problem and that she needed help overcoming it. She received outpatient treatment through the Rappahannock Area Community Services Board, Fredericksburg Virginia.
4. On January 12, 2011, Ms. Pratt-Smith signed a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP"). She was discharged from the program on December 6, 2011,

for positive urine drug screens for cannabinoid in March 2011, and Oxycodone in July 2011, a diluted urine drug screen in March 2011, and multiple missed drug screen check-ins. Her discharge diagnosis was for opioid dependence, cannabis dependence, and alcohol abuse.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2) and (5) of the Code of Virginia (1950), as amended ("Code"), and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing.

2. Findings of Fact No.'s 3 and 4 constitute a violation of § 54.1-3007(6) of the Code.

CONSENT

Amanda G. Pratt-Smith, R.N., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice professional nursing in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. License No. 0001-208837 of Amanda G. Pratt-Smith, R.N., is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Pratt-Smith 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. Pratt-Smith 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.
4. This suspension applies to any multistate privilege to practice professional nursing in the Commonwealth of Virginia.
5. This suspension shall be STAYED upon proof of Ms. Pratt-Smith's re-entry into the HPMP pursuant to Chapter 25.1 of Title 54.1 of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPMP. At such time, the indefinite suspension shall be STAYED and the following terms and conditions shall apply:
 - a. Ms. Pratt-Smith 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. Pratt-Smith, 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. Pratt-Smith is not in compliance with the terms and conditions specified by the HPMP;
- ii. Ms. Pratt-Smith's participation in the HPMP has been terminated;
- iii. There is a pending investigation or unresolved allegation against Ms. Pratt-Smith involving a violation of law, regulation, or any term or condition of this order.

6. This Order is applicable to Ms. Pratt-Smith's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Pratt-Smith 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. Pratt-Smith wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

7. Ms. Pratt-Smith's 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.

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

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 upon request.

FOR THE BOARD

Patricia M. Selig

Patricia M. Selig, R.N., F.N.P., Ph.D.
President, Virginia Board of Nursing

ENTERED: July 17, 2012

SEEN AND AGREED TO:

Amanda Pratt-Smith
Amanda G. Pratt-Smith, R.N.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF SPOTSYLVANIA, TO WIT:

Subscribed and sworn to before me, Millicent F. Brodie, a Notary Public, this 5th day of July, 2012.

My commission expires June 30, 2012.

Registration Number 364148.

Millicent F. Brodie
NOTARY PUBLIC

