

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

**MEGAN R. ROACH, L.P.N.
LICENSE NO.: 0002-073839**

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 September 12, 2011, in Henrico County, Virginia, to inquire into evidence that Megan R. Roach, L.P.N., may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board ("Board's Order") entered on March 4, 2010. The case was presented by Cynthia E. Gaines, Adjudication Specialist, Administrative Proceedings Division. Amy Marchean, Assistant Attorney General, was present as legal counsel for the Board. Ms. Roach 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. Megan R. Roach, L.P.N., was issued License No. 0002-073839 to practice practical nursing in the Commonwealth of Virginia on July 14, 2006. Said license was suspended by the Board's Order entered on entered on March 4, 2010. Said suspension was stayed contingent with Ms. Roach's compliance with the terms and conditions of the Health Practitioners' Monitoring Program ('HPMP'). Ms. Roach's primary state of residence is Virginia.
2. On May 6, 2011, the Board rescinded the stay and Ms. Roach's license was suspended.

3. Term 6 of the Board's Order entered March 4, 2010, required that Ms. Roach comply with the terms and conditions imposed by the HPMP. On April 29, 2011, Ms. Roach was dismissed from the HPMP for noncompliance with her monitoring contract. Ms. Roach's HPMP case manager testified that Ms. Roach was non-compliant with the urine drug screening and reporting requirements. The case manager testified that she believes that Ms. Roach would be eligible for re-entry into the HPMP.

4. Ms. Roach stated that her date of sobriety is January 27, 2009.

5. Ms. Roach apologized for her non-compliance and would like to be given another chance to return to the health field, specifically long term care. Ms. Roach testified that she believes she has a family support system in place that would allow her to be a better participant in the HPMP.

6. Ms. Roach presented a letter from her current employer stating that Ms. Roach has been an employee in good standing in a non-health related field for a year and a half.

7. Ms. Roach testified that she is continuing in her recovery efforts by participating in Caduceus, Narcotics Anonymous and receiving therapy from a psychiatrist.

8. Ms. Roach stated that she has completed her court ordered probation and her two felony drug charges were dismissed in December 2010.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 3 constitutes a violation of Term 6 of the Board's Order entered March 4, 2010.

ORDER

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

1. License No. 0002-073839 issued to Megan R. Roach to practice practical nursing in the Commonwealth of Virginia, is hereby INDEFINITELY SUSPENDED. Said suspension shall be STAYED

upon proof that Ms. Roach has re-entered into a Recovery Monitoring Contract with the Health Practitioners' Monitoring Program ("HPMP") and upon the condition that she remain compliant with the terms of a Recovery Monitoring Contract with the HPMP and the following terms and conditions:

a. Ms. Roach 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. Roach, 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. Roach 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.

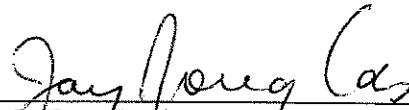
2. Upon receipt of evidence of Ms. Roach's participation in and successful completion of the terms specified by the HPMP, the Board at its discretion, may waive Ms. Roach's appearance before the Board, and conduct an administrative review of this matter, at which time she may be issued an unrestricted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

3. This Order shall be applicable to Ms. Roach's multistate licensure privileges, if any, to practice practical nursing in the Commonwealth of Virginia. It is further ordered that for the duration of this Order, Ms. Roach 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.

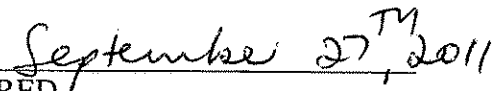
4. Ms. Roach shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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/R.N., M.S.M., C.S.A.C.
Executive Director
Virginia Board of Nursing



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, R.N., M.S.M., C.S.A.C., 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.