

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:        AMY WETHERHOLT, R.N.  
              License No.: 0001-202239**

**NOTICE OF HEARING**

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Amy Wetherholt, R.N., who, prior to its summary suspension by the Board of Nursing on February 18, 2014, held License No. 0001-202239 to practice professional nursing in Virginia, which was set to expire on July 31, 2015, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on March 19, 2014 at 2:00 p.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Ms. Wetherholt will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Wetherholt has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. Wetherholt desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to inquire into evidence that Amy Wetherholt, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia, and to inquire into evidence that Ms. Wetherholt may have violated certain terms and conditions imposed on her as set forth in the Order

of the Board entered December 6, 2012 (“Board’s Order”), as more fully set forth in the Statement of Particulars below.

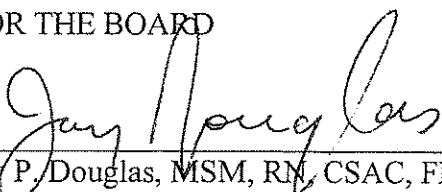
**STATEMENT OF PARTICULARS**

The Board alleges that:

1. Amy Wetherholt, R.N., may have violated § 54.1-3007(2), (3), (5) and (6) of the Code and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing in that on several occasions between June 15, 2013, and September 6, 2013, Ms. Wetherholt either obtained or attempted to obtain fraudulent prescriptions for various Schedule II and Schedule III medications, including amphetamine salts (Schedule II), morphine sulfate (Schedule II), oxycodone hydrochloride (Schedule II), and hydrocodone/APAP (Schedule III) at various pharmacies. She accomplished the diversion by using a prescription pad and signature stamp that she stole from an employer.

2. Ms. Wetherholt may have violated Term 1(a) of the Board’s Order, which required that she have an evaluation by an addictionologist and a neurologist, approved by the Board, within 90 days of entry of the Order. The evaluations were due to the Board on March 6, 2013. On March 1, 2013, Ms. Wetherholt requested and was granted an extension until April 30, 2013, to obtain the evaluations. Ms. Wetherholt has failed to obtain the required evaluations.

FOR THE BOARD

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

ENTERED: February 18<sup>th</sup>, 2014