

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 holds License No. 0001-202239 to practice professional nursing in Virginia which expires on July 31, 2013, 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 November 15, 2012, at 11:00 a.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 Ms. Wetherholt may have violated certain laws governing professional nursing practice in Virginia, as more fully set forth in the Statement of Particulars below.

STATEMENT OF PARTICULARS

The Board alleges that:


1. Ms. Wetherholt may have violated §54.1-3007(5) and (6) of the Code in that on or about November 30, 2011, during the course of her employment as a professional nurse with Carilion Clinic Roanoke Memorial Hospital, Roanoke, Virginia, she was unable to complete her scheduled shift as she was observed to be unsteady on her feet, slow speaking, and unable to stay awake including while she was providing patient care.

2. Ms. Wetherholt may have violated §54.1-3007(6) of the Code in that:

a. She may be unsafe to practice professional nursing due to her physical conditions of multiple sclerosis and chronic back and cervical problems.

b. Additionally, she may be unsafe to practice due to substance abuse issues, as evidenced by her noncompliance with her pain management contract, a history of positive urine drug screens for methadone and/or oxycodone which were not prescribed to her, a history of requesting early refills and/or multiple prescriptions for narcotics, and her admitted “occasional” consumption of more hydrocodone than she is prescribed.

FOR THE BOARD


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

ENTERED: October 19, 2012