

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: STEPHANIE T. MARTIN, R.N.
License Number: 0001-185694
Case Number: 174514

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on January 25, 2017, in Henrico County, Virginia, to inquire into evidence that Stephanie T. Martin, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Stephanie T Martin, R.N., appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated November 2, 2016, the Board sent a Notice of Formal Hearing (“Notice”) to Ms. Martin notifying her that a formal administrative hearing would be held on November 16, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. Ms. Martin requested a continuance, and her request was granted. By letter dated December 20, 2016, the Board sent an Amended Notice of Formal Hearing (“Amended Notice”) to Ms. Martin notifying her that a formal administrative hearing would be held on January 25, 2017. The Amended Notice was sent by certified and first class mail to the legal address of record on file with the Board.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT

1. Stephanie T. Martin holds License No. 0001-185694 to practice professional nursing in the Commonwealth of Virginia. By Order of the Board entered September 24, 2013 (“Board’s Order”), Ms. Martin’s license was indefinitely suspended, with the suspension stayed contingent on certain conditions. The stay of suspension was summarily rescinded on June 28, 2016. Ms. Martin’s primary state of residence is Virginia.
2. By Order entered September 24, 2013, the Board indefinitely suspended Ms. Martin’s license with the suspension stayed contingent on her entry into and compliance with the Health Practitioners’ Monitoring Program (“HPMP”). The Order was based on findings that Ms. Martin had diverted controlled substances and was impaired while working as a professional nurse.
3. Ms. Martin entered the HPMP and signed a Participation Contract on September 25, 2013.
4. On May 20, 2016, Ms. Martin was dismissed from the HPMP for noncompliance with her Recovery Monitoring Contract. Specifically, she missed calling the drug screen testing line five times between April 24, 2014 and April 5, 2016; missed screening six times between December 9, 2015 and April 29, 2016; had three abnormal screens on December 11, 2015, March 15, 2016 and March 17, 2016; and tested positive for alcohol on January 8, 2016. Further, Ms. Martin failed to provide documentation related to a narcotic she received following surgery on March 2, 2016.
5. Between January 23, 2015 and August 26, 2016, Ms. Martin was prescribed 309 tablets of oxycodone/acetaminophen 5/325mg 5mg (C-II), 144 tablets of hydrocodone acetaminophen 5/325mg (C-II), 150 tablets of hydromorphone 2mg (C-II), 50 tablets of meperidine 50mg (C-II) and 14 tablets of zolpidem 5mg (C-IV). The prescriptions were obtained from 18 different prescribers, filled at seven different pharmacies, and Ms. Martin used three different names to obtain the

medications. Further, she failed to notify her case manager and submit the required documentation for the prescriptions she received, as required by her HPMP Recovery Monitoring Contract.

6. Ms. Martin testified that the prescriptions for schedule II and schedule III drugs were related to a workers' compensation injury. Ms. Martin testified that she filled the prescriptions given to her to support her workers' compensation claim and did not ingest any of the prescriptions, with the exception of one prescription related to a surgery in March 2016. Ms. Martin testified that she notified her HPMP case manager about all of the medications prescribed to her, but that she was told not to report the prescriptions if she did not intend to ingest them. Her HPMP case manager testified that she was not notified of the prescriptions.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of Virginia Code § 54.1-3007(6) and Term No. 5(a) of the Board's Order.
2. Finding of Fact No. 5 constitutes a violation of Virginia Code § 54.1-3007(6).
3. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Martin's health records or health services.

ORDER

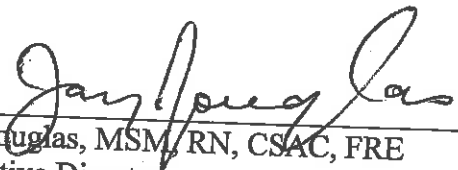
Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. Stephanie T Martin, R.N., is REPRIMANDED.
2. The license issued to Ms. Martin to practice professional nursing in the Commonwealth of Virginia will continue on INDEFINITE SUSPENSION for a period of not less than one year from the date of entry of this Order
3. The license of Ms. Martin will be recorded as SUSPENDED.

4. This suspension applies to any multistate privilege to practice professional nursing.
5. Should Ms. Martin seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Martin to demonstrate that she is safe and competent to return to the practice of professional nursing. Ms. Martin shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD




Jay Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

ENTERED AND MAILED ON:

February 3rd, 2017

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 Douglas, MSM, RN, CSAC, FRE, 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.

Certified True Copy
By 

Virginia Board Of Nursing