

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: EDNA M. DUNCAN, R.N.**  
**License No.: 0001-234477**

**CONSENT ORDER**

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

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

**FINDINGS OF FACT**

1. Edna M. Duncan, R.N., was issued License No. 0001-234477 to practice professional nursing by the Virginia Board of Nursing on November 8, 2011. Said license is set to expire on October 31, 2015. Her primary state of residence is Virginia.
2. During the course of her employment at Sentara Princess Anne Hospital, Virginia Beach, Virginia:
  - a. Between March and September 2013, Ms. Duncan diverted Schedule II narcotic medications, including morphine and hydrocodone, from patient supplies for her personal and unauthorized use. Further, on several occasions, she documented administering these medications to patients when she had not actually done so. She self-injected these medications at work and at her home.
  - b. On September 19, 2013, during the hospital's investigation of this diversion, Ms. Duncan tested positive for morphine on a for-cause urine drug screen.
3. Ms. Duncan's employment with Sentara Princess Anne Hospital was terminated on October 11, 2013, as a result of the drug diversion and the positive urine drug screen.

4. Ms. Duncan has an admitted addiction to narcotic pain medication.

5. Ms. Duncan received inpatient and outpatient treatment for opioid abuse at Virginia Beach Psychiatric Center between September and October 2013. She currently attends an intensive outpatient program with Chesapeake Community Services Board, along with NA meetings.

5. On October 21, 2013, Ms. Duncan entered into a Recovery Monitoring Contract with the Health Practitioners' Monitoring Program ("HPMP").

### **CONCLUSIONS OF LAW**

1. Finding of Fact No. 2(a) constitutes a violation of § 54.1-3007(2), (5), (6), and (8) 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 Nos. 2(a) and 4 constitute a violation of § 54.1-3007(6) of the Code.

### **CONSENT**

Edna M. Duncan, 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 a in 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. 0001-234477 of Edna M. Duncan, R.N. is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. At such time as Ms. Duncan 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. Duncan 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.

5. This suspension shall be STAYED contingent upon Ms. Duncan's continued compliance with the HPMP, and the following terms and conditions shall apply:

a. Ms. Duncan 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. Duncan, 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. Duncan is not in compliance with the terms and conditions specified by the HPMP;

ii. Her participation in the HPMP has been terminated;

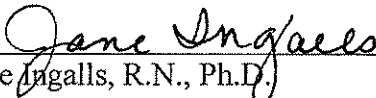
iii. There is a pending investigation or unresolved allegation against her involving a violation of law, regulation, or any term or condition of this order.

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

7. Ms. Duncan 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.

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

  
\_\_\_\_\_  
Jane Ingalls, R.N., Ph.D.  
President, Virginia Board of Nursing

ENTERED: March 18, 2014

SEEN AND AGREED TO:

Edna Duncan  
Edna M. Duncan, R.N.

COMMONWEALTH OF VIRGINIA  
COUNTY/CITY OF Chesapeake TO WIT:

Subscribed and sworn to before me, Tanya B Palko, a Notary Public, this 27 day of Feb, 2014.

My commission expires 8-31-2015.

Registration Number 196542.

**TANYA B. PALKO**  
NOTARY PUBLIC  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES AUG. 31, 2015  
COMMISSION # 196542

Tanya B Palko  
NOTARY PUBLIC