

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: ELIZABETH CARROLL, R.N.
License No.: 0001-210345

ORDER

In accordance with §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on December 3, 2013, in Henrico County, Virginia. Elizabeth Carroll, R.N., was not present nor was she represented by legal counsel. Janet Younger, serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 29, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Carroll was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Elizabeth Carroll, R.N., was issued License No. 0001-210345 to practice professional nursing in Virginia on November 21, 2007. The license is scheduled to expire on December 31, 2014. Ms. Carroll's primary state of residence is Virginia.
2. By letter dated November 7, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Carroll notifying her that an informal conference would be held on December 3, 2013. The Notice was sent by certified and first class mail to 1905 Old Post Terrace, Woodbridge, Virginia, 22191, the address of record on file with the Board of Nursing. The Notice sent via first-class mail was returned to Board office on November 27, 2013. The receipt for the Notice sent via

certified mail was returned to the Board office unsigned on November 14, 2013. The Notice sent via certified mail package was returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Carroll, and the informal conference proceeded in her absence.

3. By Order entered September 27, 2010 (“Board’s Order”), the Board placed Ms. Carroll on probation for not less than two years of actual nursing practice subject to certain terms and conditions. This Order was based on findings that Ms. Carroll had made medication errors, that she was unable to safely practice professional nursing due to substance abuse, and that she had been dismissed from the Health Practitioners’ Monitoring Program for noncompliance.

4. Term No. 7 of the Board’s Order required Ms. Carroll to undergo a chemical dependency evaluation by a Board-approved specialist within 45 days from the entry of the Order, or November 11, 2010, and to thereafter comply with any recommendations of the specialist and provide quarterly progress reports if therapy was recommended. Ms. Carroll was granted an extension to obtain the report to February 28, 2011. The chemical dependency evaluation report was received in the Board office on May 18, 2011. The report diagnosed Ms. Carroll with cannabis abuse in remission and adjustment disorder with depressed mood and recommended a treatment plan to include abstinence from all substance use, individual therapy bi-weekly, routine bio-chemical testing, and case management. Quarterly progress reports were due beginning June 30, 2011.

5. Ms. Carroll failed to submit quarterly therapy reports for the quarters ending September and December 2011, March, June, September, and December 2012, and March 2013.

6. Term No. 8 of the Board’s Order required Ms. Carroll, in the event that she was prescribed any Schedule II-V controlled substances, to cause written reports from prescribing practitioners to be submitted to the Board within ten days of the date the medication was prescribed. Ms. Carroll was prescribed hydrocodone (Schedule III) on July 8, 2011, but no prescription report was

submitted to the Board.

7. Term No. 9 of the Board's Order required Ms. Carroll to undergo drug and alcohol testing two times per month and to submit quarterly drug screen reports beginning November 26, 2010. Ms. Carroll was granted an extension so that the first report was due January 31, 2011. Ms. Carroll failed to submit drug screen reports in February 2011 and every month thereafter in 2011 and 2012, and has failed to submit any reports through March 2013.

8. Term No. 11 of the Board's Order required Ms. Carroll to submit quarterly self-reports beginning November 26, 2010. Ms. Carroll failed to submit quarterly reports in November 2010, December 2011, March, June, September and December 2012, and March 2013. She submitted untimely reports in December 2010 and March, June, and September 2011.

CONCLUSIONS OF LAW

1. Finding of Fact No. 5 constitutes a violation of Term No. 7 of the Board's Order.
2. Finding of Fact No. 6 constitutes a violation of Term No. 8 of the Board's Order.
3. Finding of Fact No. 7 constitutes a violation of Term No. 9 of the Board's Order.
4. Finding of Fact No. 8 constitutes a violation of Term No. 11 of the Board's Order.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Elizabeth Carroll, R.N., is hereby REPRIMANDED.
2. License No. 0001-210345 of Elizabeth Carroll, R.N., is INDEFINITELY SUSPENDED.
3. The license will be recorded as suspended and no longer current.
4. At such time as Ms. Carroll 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. Carroll 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 applies to any multistate privilege to practice professional nursing.

Since Ms. Carroll failed to appear at the informal conference, this Order shall be considered final. Ms. Carroll has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Carroll has thirty (30) days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

FOR THE BOARD:

for Glenn Mitchell
Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

Entered: February 21, 2014

Certified True Copy
By [Signature]
Virginia Board of Nursing