

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: ELIZABETH BUFFORD BROWN, R.N. REINSTATEMENT APPLICANT
License No.: 0001-231028

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”), Elizabeth B. Brown, who, prior to its mandatory suspension by the Department of Health Professions on September 25, 2013, held License No. 0001-231028 to practice professional nursing in Virginia, 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 January 30, 2014, at 10:00 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. Brown will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Brown 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. Brown 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 receive and act upon the application of Elizabeth B. Brown for reinstatement of her license to practice professional nursing in Virginia which was mandatorily suspended by the Department of Health Professions on September 25, 2013, and to inquire into evidence that Ms. Brown may have violated certain laws and regulations governing professional nursing practice in Virginia, as more fully set forth in the Statement of Particulars below.

The burden rests upon Ms. Brown, as the applicant, to demonstrate that she is capable of resuming the safe and competent practice of professional nursing in Virginia.

Pursuant to § 54.1-2409 of the Code, reinstatement of Ms. Brown's license requires the affirmative vote of three-fourths of the members of the Board in attendance at the hearing.

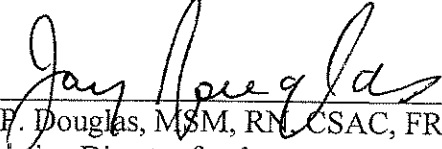
STATEMENT OF PARTICULARS

The Board alleges that:

1. Elizabeth B. Brown may have violated § 54.1-3007(4) of the Code in that, on or about August 29, 2013, in the Circuit Court for Sullivan County, Tennessee, Ms. Brown was convicted of 35 felony counts of obtaining controlled substances by fraud. Said conviction led to the mandatory suspension of her license to practice professional nursing in Virginia.
2. Ms. Brown may have violated § 54.1-3007(2), (3), (5), (6) and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing in that during the course of her employment with Wellmont Health System - Bristol Regional Medical Center, Bristol, Tennessee, from on or about July 13, 2012, to September 7, 2012, Ms. Brown diverted various narcotics including meperidine, fentanyl, hydromorphone and morphine (all Schedule II), for her personal and unauthorized use and injected the drugs while on duty. Ms. Brown accomplished the diversion by removing narcotics from the Emergency Room Pyxis dispensing system without specifying the patient and without physician orders.
3. Ms. Brown may have violated § 54.1-3007(7) of the Code in that by Consent Order entered August 21, 2013, by the Tennessee Board of Nursing, Ms. Brown voluntarily surrendered her privilege to practice nursing with the same force and effect as a revocation.
4. Ms. Brown may be in violation of § 54.1-3007(6) of the Code in that she may be unable to safely practice professional nursing due to substance abuse. Specifically:

- a. From June 2011 to August 2012, Ms. Brown diverted and ingested Lortab from a family member's prescription. By her own admission, Ms. Brown reported to work at Bristol Regional Medical Center in an impaired state.
- b. In 2012, Ms. Brown abused Percocet (oxycodone/APAP, Schedule II) and Ambien (zolpidem, Schedule IV).
- c. On or about September 18, 2013, Ms. Brown entered a Participation Contract with the Health Practitioners' Monitoring Program wherein she acknowledged her substance use disorder.

FOR THE BOARD



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

ENTERED: January 10th, 2014