

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: EMILY ELIAS, R.N.
License No.: 0001-205643**

CONSENT ORDER

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

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

FINDINGS OF FACT

1. Emily Elias, R.N., was issued License No. 0001-205643 to practice professional nursing by the Virginia Board of Nursing on February 16, 2007. Said license is set to expire on October 31, 2015. Her primary state of residence is Virginia.
2. Ms. Elias is unable to safely practice professional nursing due to substance abuse, as evidenced by the following:
 - a. She was arrested for driving while intoxicated on June 7, 2012, and was convicted of this offense on July 9, 2012, in the General District Court of Charlottesville, Virginia.
 - b. She was arrested for driving while intoxicated, second offense, on April 12, 2013, and was convicted of this offense on June 4, 2013, in the General District Court of Charlottesville, Virginia.
 - c. She entered inpatient substance abuse treatment at Fellowship Hall of North Carolina, Greensboro North Carolina, on April 26, 2013, and was successfully discharged from the program on May 24, 2013.

d. Ms. Elias is currently involved in a relapse prevention program that includes a structured after-care program, individual therapy, monitoring by a psychiatrist, and drug testing.

CONCLUSIONS OF LAW

Findings of Fact Nos. 2(a) – 2(d) constitute a violation of § 54.1-3007(6) of the Code of Virginia (1950), as amended (“Code”).

CONSENT

Emily Elias, 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 an 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. The Board shall TAKE NO ACTION at this time contingent on the following conditions:

a. Ms. Elias shall enter into a contract with the Health Practitioners' Monitoring Program ("HPMP") within 30 days of the date of entry of this Order.

b. Thereafter, Ms. Elias shall comply with the terms and conditions of the HPMP for the period specified by the HPMP.

2. This Order is applicable to Ms. Elias' multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Elias 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.

3. Ms. Elias 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.

4. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Elias, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Elias shall be noticed to appear before the Board at such time as the Board is notified that:

a. She has failed to make application to the HPMP;

b. She is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;

c. There is a pending investigation or unresolved allegation against her involving a violation of law or regulation or any term or condition of this Order; or

d. She has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of evidence of Ms. Elias' participation in and compliance with the HPMP,

the Board, at its discretion, may waive her appearance before the Board and conduct an administrative review of this matter.

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

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

ENTERED: January 2, 2014

SEEN AND AGREED TO:

[Signature]
Emily Elias, R.N.

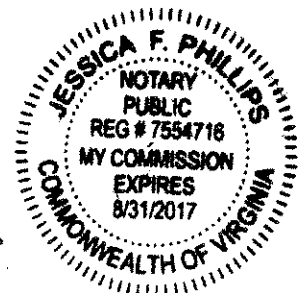
COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Charlottesville, TO WIT:

Subscribed and sworn to before me, Jessica F. Phillips, a Notary Public, this 13th day of December, 2013.

My commission expires ~~8/31/2016~~, 8/31/2017

Registration Number 7554716

[Signature]
NOTARY PUBLIC



Certified True Copy

By [Signature]
Virginia Board of Nursing