

**VIRGINIA**

**BEFORE THE BOARD OF NURSING**

**IN RE: JODI A. SANDERSON, R.N.**  
**License No.: 0001-164590**

**ORDER**

Pursuant to §§ 2.2-4020, 2.2-4021, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on March 21, 2007, in Henrico County, Virginia, to receive and act upon evidence that Jodi A. Sanderson, R.N., may have violated certain laws and regulations governing the practice of nursing in Virginia. The case was presented by Amanda E. Mitchell, Adjudication Specialist. Amy Marschean, Senior Assistant Attorney General, was present as legal counsel for the Board. Ms. Sanderson was not present and was not represented by counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. Jodi A. Sanderson, R.N. was issued License No. 0001-164590 to practice as a professional nurse by the Virginia Board of Nursing on August 4, 1999. Said license is set to expire on November 30, 2008.
2. Based upon the representations of Amanda E. Mitchell, Adjudication Specialist, and Commonwealth's Exhibits #1 and #2, the Notice of Formal Hearing and Statement of Particulars, and the Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to Ms. Sanderson and the hearing proceeded in her absence.
3. During the course of her employment with Inova Loudoun Hospital, Leesburg, Virginia, on or about March 16, 2006:

a. during her shift, Ms. Sanderson appeared to be “inebriated,” had slurred speech, and was not able to complete a sentence without dozing off. Moreover, by her own admission, while on duty, she ingested Percocet (Oxycodone, Schedule II) and Xanax (Alprazolam, Schedule IV), which she had been prescribed. Equally important, her physician had not yet released her to return to work, stating that her depression needed to improve and she was concerned for any patients Ms. Sanderson may care for at work.

b. Ms. Sanderson obtained 10mg of morphine (Schedule II) from a Pyxis machine for Patient A, but only administered 8mg. She did not document the return or wastage of the remainder. As a result, she was asked to submit to a drug screen, which was positive for hydromorphone (Schedule II) and benzodiazepines.

4. Ms. Sanderson has a mental health diagnosis and a chemical dependency condition for which she has received both inpatient and outpatient treatment. Ms Sanderson underwent an evaluation on February 8, 2007, with a mental health specialist that recommended that Ms. Sanderson attend both a chemical dependency treatment program and psychotherapy.

5. Ms. Sanderson’s treating psychiatrist is supportive of her maintaining her nursing license and continuing to work in the health care field. Further, Ms. Sanderson’s current employer in Minnesota reports that she has no direct complaints in regards to the safety of patients entrusted to her care.

#### **CONCLUSIONS OF LAW**

1. Finding of Fact #3a constitutes a violation of § 54.1-3007(5) and (6) of the Code.
2. Finding of Fact #3b constitutes a violation of § 54.1-3007 (5) of the Code.
3. Finding of Fact #4 constitutes a violation of § 54.1-3007(6) of the Code.

## ORDER

On the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS that JODI A. SANDERSON, R.N., be, and hereby is, placed on PROBATION, subject to the following terms and conditions:

1. The period of probation shall begin on the date that this Order is entered and shall end at such time as Ms. Sanderson has completed 2 years of active employment as a professional nurse. The license of Ms. Sanderson shall be reinstated without restriction at the completion of the probationary period without a hearing unless there is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 2.2-4000 et seq. and § 54.1-2400.9 et seq. of the Code of Virginia (1950), as amended (“Code”).

2. Ms. Sanderson shall inform the Board in writing within ten (10) days of the date she begins nursing practice, or changes employment, or if any interruption in nursing practice occurs. Additionally, she shall provide the name and address of each employer to the Board.

3. Ms. Sanderson shall inform her current nursing employer and each future nursing employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order. If she is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.

4. Performance Evaluations shall be provided monthly by the last day of the month, at the direction of Ms. Sanderson, by all nursing employers, as provided by the Compliance Division.

5. Based upon the mental illness and chemical dependency evaluation conducted on February 8, 2007, and received by the Board with a recommended course of therapy, Ms. Sanderson shall comply with

the recommendations of the specialist and participate in chemical dependency treatment and outpatient psychotherapy as recommended, with written quarterly progress reports by her therapists sent to the Board by the last day of the months of March, June, September and December until Ms. Sanderson is discharged from therapy. Ms. Sanderson shall direct the therapist to notify the Board if she withdraws from the treatment program before being officially discharged by the therapist.

6. Ms. Sanderson shall not use alcohol or any other mood altering chemical, except as prescribed by a health care practitioner with whom she has a bona fide practitioner/patient relationship and for accepted medicinal or therapeutic purposes. Should she be prescribed any Schedule II-V controlled medication, a written report from the prescribing practitioner shall be provided to the Board within ten (10) days of the date the medication is prescribed.

7. Ms. Sanderson shall be required to have supervised, unannounced random drug screens monthly, from a Board approved testing entity, which include testing for alcohol and the following drugs of choice: Xanax, Percocet, and hydromorphone. Ms. Sanderson shall ensure that the first set of results is received by the Board no later than sixty (60) days from the date this Order is entered. Subsequent results must be received monthly by the last day of the month until the period of probation ends. The Board shall be notified immediately in writing of any positive results or if Ms. Sanderson refuses to give a specimen for analysis as required by this Order. All positive results must be confirmed by a confirmatory drug test, the results of which are to be sent to the Board immediately.

8. Ms. Sanderson shall submit quarterly "Self-Reports" which include a current address, telephone number, and verification of all current employment. These reports shall also include any changes in employment status. The first report must be received in the Board office no later than sixty (60) days from the date this Order is entered. Subsequent reports must be received monthly by the last day of the month until the period of probation ends.

9. Ms. Sanderson shall return all copies of her license to practice as a professional nurse to the Board office within ten (10) days of the date of entry of this Order, along with a payment of a fee of \$5.00. Upon receipt, the Board shall issue a new license marked "Valid in Virginia Only; Probation with Terms."

10. Ms. Sanderson shall conduct herself as a professional nurse in compliance with the requirements of Title 54.1, Chapter 30 of the Code and the Board of Nursing Regulations.

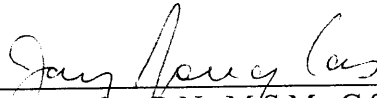
11. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Sanderson and an administrative proceeding shall be held to decide whether her license shall be revoked.

This order shall be applicable to Ms. Sanderson's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. It is further ordered that for the duration of this order, Ms. Sanderson may 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.

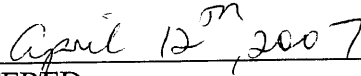
Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code of Virginia (1950), as amended, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspections or copying on request.

As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Sanderson has thirty (30) days from the service date in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 W. Broad Street, Fifth Floor, Richmond, Virginia 23230-1717. The service date shall be defined as the date Ms. Sanderson actually received this decision or the date it was mailed to her, whichever occurred first. In the event this decision is served upon her by mail, three (3) days are added to that period.

FOR THE BOARD




Jay P. Douglas, R.N., M.S.M., C.S.A.C.  
Executive Director for the  
Board of Nursing



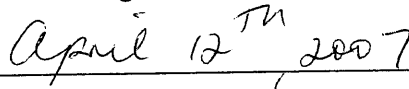
ENTERED

Certificate of Service

I hereby certify that a certified true copy of the foregoing Order was mailed on this day to Jodi A. Sanderson, 250 E. 5<sup>th</sup> Street, #213, St. Paul, MN 55101, the address of record on file with the Board of Nursing.



Jay P. Douglas, R.N., M.S.M., C.S.A.C.  
Executive Director for the  
Board of Nursing



DATE