

BEFORE THE BOARD OF NURSING

IN RE:

CRYSTAL L. SCOTT, L.P.N.

ORDER

Pursuant to §§ 2.2-4020, 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 January 27, 2011, in Henrico County, Virginia, to inquire into evidence that Crystal L. Scott, L.P.N., may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board entered on June 3, 2009, and to inquire into evidence that Ms. Scott may have violated certain laws governing practical nursing practice in Virginia. The case was presented by Tammie D. Jones, Adjudication Specialist, Administrative Proceedings Division. Howard M. Casway, Senior Assistant Attorney General, was present as legal counsel for the Board. Crystal L. Scott, L.P.N., was not present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

FINDINGS OF FACT

1. Crystal L. Scott, L.P.N., was issued License No. 0002-052864 to practice practical nursing by the Virginia Board of Nursing on June 3, 1996. Said license was summarily suspended by Order of the Board entered December 15, 2010. Ms. Scott was issued Certificate No. 1401-043896 to practice as a nurse aide, which expired on April 30, 1996. Her primary state of residence is Virginia. Pursuant to an Order of the Board entered June 3, 2009, no action was taken against Ms. Scott contingent upon her entering into and complying with all terms and conditions of the Health Practitioners' Monitoring Program ("HPMP"). Said action was based on Ms. Scott's history of bi-polar disorder and substance abuse.

2. Based upon the representations of Tammie D. Jones and Commonwealth's Exhibit Nos. 1 and 2, the Notice of Formal Hearing and Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in her absence.

3. On July 22, 2009, Ms. Scott entered a Participation Contract with the HPMP. On October 21, 2009, the HPMP obtained a prescription monitoring report which revealed that Ms. Scott had obtained prescriptions for lorazepam (Schedule IV) on July 10, July 22, and August 25, 2009, and had failed to report the prescriptions to the HPMP. A substance abuse assessment was conducted and it was recommended that Ms. Scott enter an intensive outpatient treatment program. Ms. Scott was referred to Pathways and the Piedmont Community Services Board; however, she failed to enter treatment. Ms. Scott last contacted her case manager on March 1, 2010, and on March 12, 2010, she stopped calling for urine toxicology screening. On April 19, 2010, Ms. Scott was dismissed from the HPMP for noncompliance.

4. On June 17, 2010, during an interview with an investigator from the Department of Health Professions, Ms. Scott stated that she had no income and could not financially afford to remain in the HPMP.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 3 constitutes a violation of Term No. 1 of the Order entered June 3, 2009, and § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:


1. Crystal L. Scott, L.P.N., is hereby REPRIMANDED.
2. License No. 0002-052864 issued to Crystal L. Scott, L.P.N., to practice practical nursing in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED for a period of not less than two years.
3. The license of Crystal L. Scott, L.P.N., will be recorded as SUSPENDED and no longer current. Should Ms. Scott seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license prior to issuance of her license to resume practice.
4. At such time as Ms. Scott shall petition the Board for reinstatement of her license, a hearing will

be convened to determine whether she is able to return to the safe and competent practice of practical nursing.

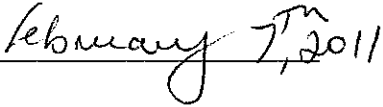
5. This Order shall be applicable to Ms. Scott's multistate licensure privileges, if any, to practice practical nursing in the Commonwealth of Virginia.

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 on request.

FOR THE BOARD



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



ENTERED

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order 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, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.