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VIRGINIA:

BEFORE THE BOARD OF NURSING

VA BO OF NURSING

**IN RE: VINCENZA S. LIKENS, R.N.
 License No.: 0001-226151**

CONSENT ORDER

Pursuant to §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was held before a Special Conference Committee ("Committee") of the Board of Nursing ("Board") on August 13, 2013, in Henrico County, Virginia, to inquire into evidence that Vincenza S. Likens, R.N., may have violated certain laws and regulations governing the practice of nursing in Virginia. Ms. Likens was not present and was not represented by legal counsel.

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

FINDINGS OF FACT

1. Vincenza S. Likens, R.N., was issued License No. 0001-226151 to practice professional nursing by the Virginia Board of Nursing on July 21, 2010. Said license is set to expire on August 31, 2014. Her primary state of residence is Virginia.

2. By letter dated July 19, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Likens notifying her that an informal conference would be held on August 13, 2013. The Notice was sent by certified and first class mail to 515 Linden Street, S.E., Roanoke, Virginia 24014, the address of record on file with the Board of Nursing. The certified mail receipt was signed on August 3, 2013. The Notice sent by first class mail was not returned to the Board office. The Committee Chair concluded that adequate notice was provided to Ms. Likens and the informal conference proceeded in her absence.

3. During the course of her employment with Lewis Gale Regional Health System, Roanoke, Virginia, Ms. Likens diverted fentanyl (Schedule II) and Dilaudid (hydromorphone, Schedule II) for her own personal and unauthorized use, as evidenced by the following:

a. On March 15, 2013, at 12:51 a.m., Ms. Likens removed hydromorphone 2mg for Patient A; however, she failed to document administration and she documented wasting 1mg at 5:37 a.m.

b. On March 12, 2013, at 1:10 a.m., and 4:38 a.m., Ms. Likens removed fentanyl 100 mcg/2ml for Patient B; however, she failed to document administration and documented wasting 50mcg of the 4:38 a.m. withdrawal.

c. On March 7, 2013, at 1:36 a.m., Ms. Likens removed hydromorphone 2mg for Patient C and documented administration two hours later at 3:22 a.m. On March 7, 2013, at 4:31 a.m., Ms. Likens removed hydromorphone 2mg for Patient C and documented administration two hours later at 6:27 a.m.

d. On February 26, 2013, Patient D was ordered hydromorphone 2mg every four hours as needed for pain. On March 14, 2013 at 9:20 p.m., Ms. Likens withdrew hydromorphone 2mg. Ms. Likens documented administering 1mg at 10:02 p.m., and wasting 1mg at 9:49 p.m. On March 15, 2013, at 9:05 a.m., Ms. Likens withdrew hydromorphone 2mg and failed to document administration or wastage.

e. Between December 12, 2012, at 7:37 p.m., and December 13, 2012, at 2:58 a.m., Ms. Likens withdrew nine vials of fentanyl 100 mcg/2 ml for Patient E, and documented one instance of wasting 50mcg and one instance of wasting 75mcg. The patient was ordered 0.05mcg/0.075mg and there were seven instances where she failed to document any wastage.

4. Ms. Likens' employment with Lewis Gale Regional Health System was terminated on April 11, 2013.

5. During the course of her employment with Carilion Roanoke Memorial Hospital, Roanoke, Virginia, Ms. Likens diverted fentanyl, hydromorphone, oxycodone and morphine (all Schedule II), for her own personal and unauthorized use, as evidenced by the following:

- a. On July 1, 2012, Ms. Likens documented removing fentanyl for Patient F, who was ordered fentanyl for sedation; however, sedation was not performed on the unit where Ms. Likens was assigned and she was not a sedation nurse.
- b. On July 27, 2012, Ms. Likens had two duplicate removals of hydromorphone for Patient G at 6:51a.m. and 6:53 a.m., and at 10:48 a.m. and 10:50 a.m. The removals exceeded the ordered dose; however, she failed to document wastage.
- c. On July 26, 2012, Ms. Likens removed hydromorphone for Patient H at 7:30, 7:32, 8:47, 9:05 and 11:03 a.m., prior to conducting pain assessments at 10:15 a.m., and 12:08 p.m. Further, Ms. Likens had a duplicate removal which exceeded the ordered dose, of which she documented .5mg wasted.
- d. On November 16, 2011, Ms. Likens removed oxycodone and morphine for Patient I at 9:12 a.m. prior to conducting a pain assessment at 9:26 a.m.
- e. On September 10, 2011, at 12:36 p.m., Ms. Likens removed one fentanyl 100 mcg/2ml vial for Patient J; however, she failed to document administration or wastage. Ms. Likens also documented that the patient had a pain level of zero.

6. On September 3, 2012, Ms. Likens resigned from employment with Carilion Roanoke Memorial Hospital.

CONCLUSIONS OF LAW

Findings of Fact Nos. 3 and 5 constitute a violation of § 54.1-3007(2), (5), (6) and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) and (f) of the Regulations Governing the Practice of Nursing.

CONSENT

Vincenza S. Likens, 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 a formal fact finding hearing 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 a formal hearing;
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. License No. 0001-226151 of Vincenza S. Likens, R.N., is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Likens 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. Likens 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.

4. This suspension applies to any multistate privilege to practice professional nursing.

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

Jane Ingalls
Jane Ingalls, R.N., Ph.D.
President, Virginia Board of Nursing

ENTERED: November 20, 2013

SEEN AND AGREED TO:

V. Likens
Vincenza S. Likens, R.N.

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

Crystal S. Castle

Subscribed and sworn to before me, September 17, 2013, a Notary Public, this 17th day of September, 2013

My commission expires 07/31/2015

Registration Number 227296

Crystal S. Castle
NOTARY PUBLIC



Certified True Copy

By [Signature]
Virginia Board of Nursing