

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: REGINA K. SPARKS, R.N.  
License No.: 0001-168075**

**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 October 21, 2013, in Henrico County, Virginia, to inquire into evidence that Regina K. Sparks, R.N., may have violated certain laws and regulations governing nursing practice in Virginia. The case was presented by Cynthia E. Gaines, Adjudication Specialist, Administrative Proceedings Division. Charis Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Sparks was not present and was not represented by legal 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. Regina Sparks, RN, was issued License No. 0001-168075 to practice professional nursing in the Commonwealth of Virginia on February 28, 2000. Said license is set to expire on November 11, 2013. Ms. Sparks' primary state of residence is Virginia
2. Based upon the representations of Cynthia E. Gaines, Adjudication Specialist, and Commonwealth's Exhibit No. 1, 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 May 19, 2009, Ms. Sparks was diagnosed with major depressive disorder, and she began psychiatric treatment on July 16, 2009. On August 13, 2009, Ms. Sparks signed the first of six Recovery

Monitoring Contracts with the Health Practitioners' Monitoring Program ("HPMP"). She signed the last Recovery Monitoring Contract on July 10, 2012. In this contract she recognized that her mental and/or physical illness may impair her ability to practice safely.

4. On August 22, 2012, during the course of her employment with Carriage Hill Retirement in Bedford, Virginia, Ms. Sparks wrote an unauthorized prescription for Seroquel 400 mg (C-VI) for an employee of the facility on a signed blank prescription left by the medical director for the facility. The medical director did not have a physician/patient relationship with the employee.

5. On the Recovery Monitoring Contract that Ms. Sparks signed on July 10, 2012, she listed a medication aide as her employer representative, when, in fact, Ms. Sparks was the supervisor of this aide.

6. Between February 11, 2009, and March 20, 2009, during the course of her employment with Lewis Gale Medical Center, Salem, Virginia, on seven occasions, Ms. Sparks signed out Vicodin (C-III) and Dilaudid PCA (C-II), but failed to document her administration of the medications to her patients.

7. Ms. Sparks was dismissed from the HPMP on January 11, 2013, as a result of her failure to communicate her change of work status and her failure to communicate with her case manager.

#### CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No 3 constitutes a violation of § 54.1-3007(6) of the Code.
2. Finding of Fact No 4 constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(a) of the Regulations Governing the Practice of Nursing ("Regulations")
3. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations
4. Finding of Fact No. 6 constitutes a violation of § 54.1-3007(5) of the Code.

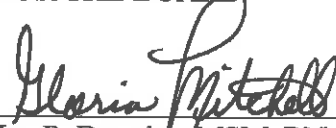
ORDER

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

1. License No. 0001-168075 issued to Regina K. Sparks to practice professional nursing in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED for a period of not less than two years.
2. The license of Ms. Sparks will be recorded as SUSPENDED. Should Ms. Sparks 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 privilege prior to issuance of her license to resume practice.
3. At such time as Ms. Sparks shall petition the Board for reinstatement of her certificate, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of professional nursing.
4. Ms. Sparks is hereby REPRIMANDED.
5. This Order shall be applicable to Ms. Sparks' multistate licensure privileges, if any, 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 on request.

FOR THE BOARD

  
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for Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director  
Virginia Board of Nursing

  
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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.