

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: ELLEN PAHOULIS, R.N.
License No.: 0001-142657**

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), a Special Conference Committee ("Committee") of the Virginia Board of Nursing ("Board") met on August 10, 2011, in Henrico County, Virginia, to inquire into evidence that Ellen Pahoulis, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia. Ms. Pahoulis was present and was not represented by legal counsel.

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

FINDINGS OF FACT

1. Ellen Pahoulis, R.N., was issued License No. 0001-142657 to practice professional nursing in the Commonwealth of Virginia on April 27, 1995. Said license expires on January 31, 2013. Her primary state of residence is Virginia.
2. By letter dated June 10, 2011, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Pahoulis notifying her that an informal conference would be held on August 10, 2011. The Notice was sent by certified and first class mail to 1424 Hillside Avenue, Chesapeake, Virginia 23322, the address of record then on file with the Board of Nursing. The Notice was also sent to 422 Carswold Drive, Clayton, Missouri 63105, a secondary address.
3. During the course of her employment with Sentara Leigh Hospital, Norfolk, Virginia, for approximately one year beginning in late 2009, Ms. Pahoulis diverted morphine (Schedule II) and Dilaudid (hydromorphone, Schedule II) from hospital supplies for her own personal and unauthorized use, and she

self-administered the medication while on duty. Her employment with Sentara Leigh was terminated in December 2010 as a result of this diversion.

4. Ms. Pahoulis stated at the informal conference that her date of sobriety was January 23, 2011. She completed a 28-day substance abuse treatment program at Harris House, St. Louis, Missouri. She intends to stay in Missouri and participate in a two-year aftercare program with Harris House. She attends 14-16 Narcotics Anonymous and/or Alcoholics Anonymous meetings per month and has a sponsor.

5. Ms. Pahoulis entered into a Recovery Monitoring Contract with the Virginia Health Practitioners' Intervention Program ("HPMP") on January 24, 2011. HPMP reported that as of August 5, 2011, she was in compliance with her Recovery Monitoring Contract. She has not yet been approved to return to work in the healthcare field.

CONCLUSIONS OF LAW

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

2. Based on the above Findings of Fact, the Committee concludes that Ms. Pahoulis is properly enrolled in the Health Practitioners' Monitoring Program.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. The Committee shall TAKE NO ACTION at this time, contingent upon Ellen Pahoulis' continued compliance with all terms and conditions of the Recovery Monitoring Contract with the HPMP for the period specified in the Contract.

2. This order shall be applicable to Ms. Pahoulis' multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Pahoulis shall not work outside 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 request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

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

- a. She is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
- b. 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
- c. She has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Pahoulis' participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Pahoulis' appearance before the Board and conduct an administrative review of this matter.

4. Ms. Pahoulis 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.

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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Pahoulis may, not later than 5:00 p.m., on September 28, 2011, notify Jay P. Douglas, Executive Director, Board of Nursing, 9960 Mayland Drive,

Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:



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

ENTERED: August 26th, 2011

This Order shall become final on September 28, 2011 unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By debraham
Virginia Board of Nursing