

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: CHRISTY LYNN STATES, R.N.

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on October 6, 2010, in Henrico County, Virginia. Christy L. States, R.N., was not present nor was she represented by legal counsel. Janet B. Younger, serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 26, 2011, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. States was not present nor was she represented by legal counsel. Ms. States submitted written comments/objections.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Christy L. States, R.N., was issued License No. 0001-196201 to practice professional nursing in Virginia on June 20, 2005. The license is scheduled to expire on June 30, 2012. Her primary state of residence is Virginia. Ms. States' license to practice professional nursing in Pennsylvania expired on April 30, 2009.

2. By letter dated September 9, 2010, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. States notifying her that an informal conference would be held on October 6, 2010. The Notice was sent by certified and first class mail to 705 Banbury Terrace, Winchester,

Virginia, 22601, the address of record on file with the Board of Nursing. The certified mail receipt for the Notice sent via certified mail was signed by Jeremy States and returned to the Board on September 13, 2010. The Notice sent via first-class mail was not returned to the Board. The Agency Subordinate concluded that adequate notice was provided to Ms. States and the informal conference proceeded in her absence.

3. During the course of her employment with Winchester Medical Center, Winchester, Virginia, in January and February 2010, Ms. States diverted narcotic medication for her personal and unauthorized use on multiple occasions. More specifically, she diverted 44 tablets of Percocet (oxycodone/acetaminophen – Schedule II), 27 tablets of Lortab (hydrocodone/acetaminophen – Schedule III), six tablets of Tylenol 3 (acetaminophen and codeine – Schedule III), two tablets of Ambien (zolpidem – Schedule IV), and two units of hydrocodone-chlorphen syrup (Schedule III). She accomplished this diversion by withdrawing medication and failing to document its administration or wastage.

4. Ms. States had corrective actions at Winchester Medical Center for multiple absences. Her employment with Winchester Medical Center was terminated on February 22, 2010, as a result of the suspected diversion. As of the date of the informal conference, no criminal charges had been filed against Ms. States.

5. At the request of the Department of Health Professions investigator, Ms. States submitted to a urine drug screen on March 16, 2010, several weeks after the termination of her employment. The urine drug screen was negative.

6. Ms. States submitted a letter to the Board denying that she had diverted any medication and attributing each of the discrepancies to mistakes.

7. Although information was provided to Ms. States regarding the Health Practitioners'

Monitoring Program, Ms. States had not entered the program as of the date of the informal conference.

CONCLUSION OF LAW

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.

ORDER

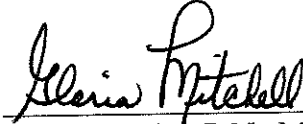
WHEREFORE, it is hereby ORDERED as follows:

1. License No. 0001-196201 of Christy L. States, L.P.N., is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. States 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. States 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.

Since Ms. States failed to appear at the informal conference, this Order shall be considered final. Ms. States has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. States has thirty (30) days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within 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, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

Pursuant to § 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 a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD


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

Entered: February 8, 2011