

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

MEGAN CRUTCHLEY, L.P.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 July 31, 2007, in Henrico County, Virginia. Ms. Crutchley was present and was represented by Kim Crump, Esquire. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On September 19, 2007, the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Crutchley was not present nor was she represented by legal counsel.

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. Megan Crutchley was issued License No. 0002-070128 to practice practical nursing in Virginia on October 25, 2004. The license is scheduled to expire on November 30, 2007.
2. By letter dated May 7, 2007, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Crutchley notifying her that an informal conference would be held on July 31, 2007. The Notice was sent by certified and first class mail to 20268 Sunnyside Drive, Melfa, Virginia 23410, the address of record on file with the Board of Nursing. Notice was also sent to Kim Crump, Esquire, counsel for Ms. Crutchley.
3. During the course of her employment at Arcadia Nursing Center, Nelsonia, Virginia, between April 29, 2006, and June 15, 2006, Ms. Crutchley diverted oxycodone (Schedule II) tablets

from the supply of Resident A for her personal and unauthorized use. Specifically, she documented withdrawal of over 90 tablets for this resident on the Controlled Medication Utilization Record, approximately 94% more than all other nurses who withdrew the same medication for this resident during this period, and she was the only one to withdraw this medication for this resident in the month of May, 2006. The resident, who was alert and oriented, denied pain and denied receiving these medications from Ms. Crutchley, indicating rather that his prescribed fentanyl (Schedule II) patch was sufficient for any pain. In addition, shortly after her last documented removal of Resident A's oxycodone, the resident tested negative for the presence of this medication. Ms. Crutchley's employment was terminated relative to this matter.

4. After being dismissed from Arcadia Nursing Center, Ms. Crutchley returned on July 7, 2006, removed a fentanyl patch from Resident A's back without his prior knowledge or permission, removed the gel containing the medication, and orally ingested the gel while stating to a former co-worker that she had a problem, could not help it, and needed the medicine.

5. When interviewed by an investigator for the Department of Health Professions, Ms. Crutchley refused to answer any questions regarding her reported actions while employed at Arcadia or any questions regarding drug and prescription drug usage. She also refused to submit to a urine drug screen as requested by the investigator.

6. At the time of the informal conference, Ms. Crutchley was working for Osbourne Orthopedics performing duties similar to those of a medical assistant. She does not administer medications.

7. At the informal conference, Ms. Crutchley acknowledged a history of depression but denied that she diverted drugs from Arcadia.

CONCLUSIONS OF LAW

1. Finding of Fact #3 constitutes a violation of § 54.1-3007(2), (5), (6) and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Board of Nursing Regulations.
2. Finding of Fact #4 constitutes a violation of § 54.1-3007(2), (5), (6), and (8) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Board of Nursing Regulations.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. License No. 0002-070128 of Megan Crutchley is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. This suspension shall be STAYED upon proof of entry into a Recovery Monitoring Contract with the Health Practitioners' Intervention Program ("HPIP") pursuant to Chapter 25.1 of Title 54.1 of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPIP. At such time, the indefinite suspension shall be STAYED and the following terms and conditions shall apply:
 - a. Ms. Crutchley shall comply with all terms and conditions for the period specified by the HPIP.
 - b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Ms. Crutchley, and an administrative proceeding shall be held to determine whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:
 - i. Ms. Crutchley is not in compliance with the terms and conditions specified by the HPIP;
 - ii. Ms. Crutchley's participation in the HPIP has been terminated;
 - iii. There is a pending investigation or unresolved allegation against Ms.

Crutchley involving a violation of law, regulation, or any term or condition of this order.

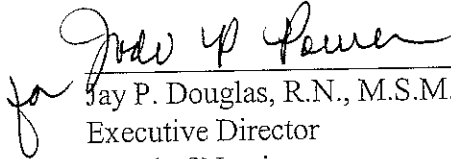
4. This Order is applicable to Ms. Crutchley's multistate licensure privileges, if any, to practice practical nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Crutchley shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where she wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

5. Ms. Crutchley shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

This Order is subject to appeal to the Board. If Ms. Crutchley desires a formal administrative hearing before the Board pursuant to §§ 2.2-4020 and 2.2-4021 of the Code, she must notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, in writing, within thirty-three (33) days from the date of service of this Order. Upon the filing of a request for the hearing with the Executive Director, this Order shall be vacated.

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

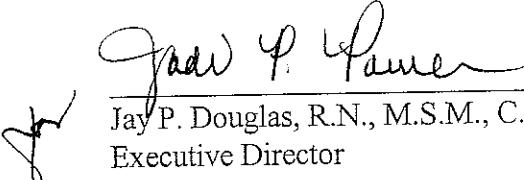


Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director
Board of Nursing

Entered: October 2, 2007

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed this day to Megan Crutchley at 20268 Sunnyside Drive, Melfa, VA 23410, and to Kim Crump, Esquire, 735 Newtown Road, Suite 204, Norfolk, VA 23502.



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

October 2, 2007
DATE