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VA BD OF NURSING

COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.
Director

Department of Health Professions

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Henrico, Virginia 23233-1463

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TEL (804) 367-4400
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October 11, 2013

Angela Marie Morgan
P.O. Box 1375
Chapmanville, WV 25508

CERTIFIED MAIL

RE: License No.: 0001-185217

DUPLICATE COPY
VIA FIRST CLASS MAIL

DATE 10/11/13

Dear Ms. Morgan:

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your license to practice nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered October 11, 2013. You are hereby advised that, pursuant to Section 54.1-2409.1 of the Code, any person who practices a profession or occupation after having their license or certificate to do so suspended shall be guilty of a felony. Please return your license to Jay P. Douglas, Executive Director of the Virginia Board of Nursing, at the above address, immediately upon receipt of this letter.

Section 54.1-2409 of the Code further provides that you may apply to the Board of Nursing ("Board") for reinstatement of your license, and shall be entitled to a hearing not later than the next regular meeting of the Board after the expiration of sixty days from the receipt of such reinstatement application. You have the following rights, among others: to be represented by legal counsel, to have witnesses subpoenaed on your behalf, to present documentary evidence and to cross-examine adverse witnesses. The reinstatement of your license shall require the affirmative vote of three-fourths of the members present of the Board of Nursing.

Should you wish to petition the Board of Nursing for reinstatement of your license, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4599.

Sincerely,

Arne W. Owens, Chief Deputy Director
Department of Health Professions

Enclosures
Case # 153252

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: ANGELA MARIE MORGAN, R.N.
License Number: 0001-185217


ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Arne W. Owens, Chief Deputy Director of the Virginia Department of Health Professions, received and acted upon evidence that the license of Angela Marie Morgan, R.N., to practice as a registered nurse in the State of North Carolina was suspended by an Order to Show Cause Following Violation of Probationary Conditions entered September 27, 2013. A certified copy of the Order to Show Cause Following Violation of Probationary Conditions is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the privilege of Angela Marie Morgan, R.N., to renew her license to practice as a professional nurse in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Angela Marie Morgan, R.N., will be recorded as suspended. Should Ms. Morgan seek reinstatement of her license pursuant to Section 54.1-2409 of the Code, she shall be responsible for any fees that may be required for the reinstatement and renewal of her license prior to issuance of her license to resume practice.

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



Arne W. Owens, Chief Deputy Director
Department of Health Professions

ENTERED: 10-11-2013



COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.
Director


Department of Health Professions

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CERTIFICATION OF DUPLICATE RECORDS

I, Arne W. Owens, Chief Deputy Director of the Department of Health Professions, hereby certify that the attached Order to Show Cause Following Violation of Probationary Conditions entered September 27, 2013, regarding Angela Marie Morgan, R.N., is a true copy of the records received from the North Carolina Board of Nursing.


Arne W. Owens

Date: 10-11-2013

BEFORE THE NORTH CAROLINA BOARD OF NURSING
OF THE STATE OF NORTH CAROLINA

IN THE MATTER OF)

Angela Marie Morgan, RN)

Certificate # 224772)

**ORDER TO SHOW CAUSE FOLLOWING
VIOLATION OF PROBATIONARY
CONDITIONS**

Pursuant to the authority vested by Article 9A, Chapter 90 of the General Statutes of North Carolina and Article 3A of Chapter 150B-38 of the General Statutes of North Carolina, the North Carolina Board of Nursing (hereafter known as the Board) **SUSPENDS** the Registered Nurse license of Angela Marie Morgan for violation of the Chemical Dependency Discipline Program (CDDP) Contract.

1. Angela Marie Morgan is the holder of Registered Nurse Certificate # 224772 which expires on August 31, 2014.
2. On August 7, 2013 Ms. Morgan met with Board staff and signed a Consent to Suspend License to be considered for the Chemical Dependence Discipline Program (CDDP). On this date she also signed CDDP Contract – Section I. By agreeing to the terms of the CDDP, Ms. Morgan agreed to satisfactorily comply with the terms of the program contract.
3. On May 31, 2013 the Board received a complaint from the Cape Fear Medical Center in Fayetteville, North Carolina reporting Ms. Morgan for being impaired on duty on May 28, 2013. Also reported was the fact that a bottle of Dilaudid was found in the staff bathroom. When contacted by Board staff, Ms. Morgan denied taking Dilaudid on May 28, 2013 but admitted to diversion of Dilaudid from the facility in January/February 2013.
4. The CDDP is a program designed to monitor nurses that have a chemical dependency problem; that allows the nurse to continue to engage in the practice of nursing in a monitored environment while also assuring that the public is safe and protected. The nurse must remain alcohol and drug free. One of the measures used to assure compliance with that particular requirement is through random drug screening.
5. On September 9, 2013 Ms. Morgan submitted to a drug screen. The specimen was collected using chain of custody specifications and was reviewed by the Medical Review Officer (MRO). The specimen was deemed positive by the MRO for Oxycodone.
6. On September 16, 2013 Ms. Morgan contacted Board staff and admitted she had a positive test. She admitted to consuming a Percocet, which she obtained from someone else and that she did not have a prescription of her own for the drug. Ms. Morgan stated, "I want to be sober and be a nurse again, I am sorry."
7. If a licensee fails to adhere to the terms of the contract, the Board cannot assure that they are compliant with the contract and that the public is safe and protected.
8. The investigation determined that Ms. Morgan violated the Nursing Practice Act Section G.S. 90-171.37 (3) (7) and (8) and as further identified in Regulation 21 NCAC 36.0217 (c) (20).
9. Therefore, the CDDP Contract for Angela Marie Morgan is hereby **SUSPENDED** and Ms. Morgan **MUST IMMEDIATELY CEASE AND DESIST** from the practice of nursing in North Carolina.
10. In accordance with Chapter 150B of the General Statutes, the licensee is entitled to a "Show Cause" Hearing before members of the Board to determine why the Board should not

Morgan

CERTIFIED TRUE COPY

Page 1 of 4



**BEFORE THE NORTH CAROLINA BOARD OF NURSING
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IN THE MATTER OF)

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take further action because of the licensee's failure to comply with the probationary conditions, including imposing further discipline.

11. The licensee is entitled to be represented by counsel and to present evidence and witnesses/testimony on the licensee's behalf.
12. Pursuant to North Carolina General Statute Section 150B-40(d), the licensee may not communicate, directly or indirectly, with any individual member of the Board about this matter. If the licensee or legal representative has questions, they should contact Donna H. Mooney, RN, Manager – Regulatory Affairs.
13. In the event the Board determines the Licensee has violated any of the conditions of this ORDER, and the Licensee disputes that such a violation of the conditions has occurred, then the Licensee agrees the Licensee must file such objection in writing with the Board **WITHIN TEN (10) BUSINESS DAYS** of the date of the notice of the violations to the Licensee. The notice to the Board shall contain with specificity the violations disputed.
14. When the Licensee has properly filed notice of objection with the Board, then the Licensee will be provided a Hearing before the Board at the next scheduled Board meeting for which appropriate notice can be provided, or scheduled by consent of the parties.
15. If the licensee is disputing the fact that the violations as alleged did occur, the licensee must file a written objection with the Board within ten (10) business days of the date of the notice of violations to Angela Marie Morgan. The notice must contain with specificity the violations being disputed.
16. When the licensee has properly filed notice of objections with the Board, then the licensee will be notified of the exact date and time for the "Show Cause" Hearing. The Hearing will be held at the next scheduled Board meeting for which appropriate notice can be provided, or scheduled by consent of the parties.
17. Failure to return the written objection within the designated time period will be construed to mean the licensee is not contesting the matter and all further proceedings to which the licensee is otherwise entitled by law are hereby waived.

The license will then remain suspended until the licensee requests in writing the opportunity to appear before the Licensure Committee to petition for reinstatement.

18. This ORDER to Suspend will be placed in the licensee's file and becomes a public record pursuant to the North Carolina Public Record Statute G.S. Chapter 132 and Board policy.
19. By not contesting the violations contained in this ORDER, the licensee is waiving the rights to a "Show Cause" Hearing, to challenge the validity of this ORDER and to any further proceedings to which the licensee may be entitled by law.
20. By contesting the violations contained in this ORDER, the licensee is requesting a "Show Cause" Hearing.

BEFORE THE NORTH CAROLINA BOARD OF NURSING
OF THE STATE OF NORTH CAROLINA

IN THE MATTER OF)

Angela Marie Morgan, RN)

Certificate # 224772)

**ORDER TO SHOW CAUSE FOLLOWING
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CONDITIONS**

The licensee understands that a written objection with the specific violations/charges being disputed must be received within ten (10) business days of the date of this notice.

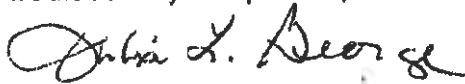
The subject of the "Show Cause" Hearing shall be limited to the specific reasons for which the probationary license was suspended/revoked.

When the licensee has properly filed notice of objection with the Board, then the Licensee will be provided a Hearing before the Board at the next scheduled Board meeting for which appropriate notice can be provided, or scheduled by consent of the parties.

21. In accordance with G.S. 90-171.27(d) and Board policy derived therefrom, a fee may be assessed for disciplinary matters. A Show Cause Hearing is considered a discipline action.

**FAILURE TO RETURN THE ATTACHED PAGE WITHIN TEN (10) BUSINESS DAYS
WILL RESULT IN THE LICENSEE WAIVING ALL RIGHTS TO CHALLENGE THE
VALIDITY OF THIS ORDER OR TO ANY OTHER PROCEEDINGS TO WHICH THE
LICENSEE MAY OTHERWISE BE ENTITLED BY LAW.**

This the 27th day of September, 2013



Julia L. George, RN, MSN, FRE
Executive Director
North Carolina Board of Nursing

CERTIFIED TRUE COPY