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VA BD OF NURSING

COMMONWEALTH of VIRGINIA

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

Department of Health Professions
Perimeter Center
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Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367- 4400
FAX (804) 527- 4475

November 29, 2011

Tricia Nicole Gregory
9138 Palm Island Circle
North Fort Myers, FL 33903

CERTIFIED MAIL

**DUPLICATE COPY
VIA FIRST CLASS MAIL**

RE: License No.: 0001-224352

DATE 11/29/11

Dear Ms. Gregory:

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 November 29, 2011. 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 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,

Dianne L. Reynolds-Cane, M.D., Director
Department of Health Professions

Enclosures
Case # 137649

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: TRICIA NICOLE GREGORY, R.N.
License No.: 0001-224352

ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Dianne L. Reynolds-Cane, M.D., Director of the Virginia Department of Health Professions, received and acted upon evidence that Tricia Nicole Gregory, R.N., was convicted of felony charges by a General Court Martial of the United States Navy at the Region Legal Service Office Mid-Atlantic, Norfolk, Virginia, to wit:

1. Ensign Tricia N. Gregory, Nurse Corps, U.S. Navy, pled guilty and was found to be guilty of violating Article 92 of the Uniform Code of Military Justice ("UCMJ") in that, while on active duty at the U.S. Naval Medical Center, Portsmouth, Virginia, on divers occasions from on or about 1 January 2010 to on or about 23 February 2010, was derelict in the performance of her duties in that she willfully made unauthorized withdrawals of pharmaceuticals from the Pyxis automated dispensing system, as it was her duty not to do so.

2. Ensign Tricia N. Gregory, Nurse Corps, U.S. Navy, pled guilty and was found to be guilty of violating Article 112a of the UCMJ in that:
 - I. Ensign Gregory while on active duty, on board the Naval Medical Center Portsmouth, Virginia, on divers occasions between 1 January 2010 and 16 April 2010, did wrongfully possess one or more vials containing Morphine, a schedule II controlled substance;

- II. Ensign Gregory, while on active duty, on board the Naval Medical Center Portsmouth, Virginia, on or about 16 April 2010, did wrongfully possess one or more vials containing Midazolam, a schedule IV controlled substance;
 - III. Ensign Gregory, while on active duty, on board Naval Medical Center Portsmouth, Virginia, on or about 16 April 2010, did wrongfully possess one or more vials containing Lorazepam, a schedule IV controlled substance;
 - IV. Ensign Gregory, while on active duty, in her private residence at 1 Harbor Court, Apartment 8G, Portsmouth, Virginia, on or about 21 April 2010, did wrongfully possess one or more vials containing Midazolam, a schedule IV controlled substance; and
 - V. Ensign Gregory, while on active duty, on board Naval Medical Center Portsmouth, Virginia, on divers occasions between on or about 1, January 2010 and 16 April 2010, did wrongfully possess Hydromorphone, a schedule II controlled substance.
3. Ensign N. Gregory, Nurse Corps, U.S. Naval Medical Center Portsmouth, Virginia, pled guilty and was found to be guilty of violating Article 121 of the UCMJ, in that, while on active duty, did, on board Naval Medical Center Portsmouth, Virginia, on divers occasions between on or about 1 January 2010, to on or about 23 February 2010, steal medical supplies, to wit: pharmaceuticals, syringes, and needles, military property of a value of more than \$500.00, the property of the U. S. Government.
 4. In that Ensign Tricia N. Gregory, Nurse Corps, U.S. Navy, Naval Medical Center Portsmouth, Virginia, pled guilty and was found to be guilty of violating Article 134 of

the UCMJ, in that, while on active duty, did, on board Naval Medical Center Portsmouth, Virginia, on or about 16 April 2010, was responsible for the care of an unnamed infant patient under the age of sixteen (16) years, and did endanger the safety of said infant patient, by carrying said infant patient while she was in an intoxicated state, and such conduct constituted culpable negligence.

A certified copy of the General Court-Martial Order No. 14-11 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 license of Tricia Nicole Gregory, R.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, suspended.

Upon entry of this Order, the license of Tricia Nicole Gregory, R.N., will be recorded as suspended and no longer current. Should Ms. Gregory 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.



Dianne L. Reynolds-Cane, M.D., Director
Department of Health Professions

ENTERED: 11-29-11



COMMONWEALTH of VIRGINIA

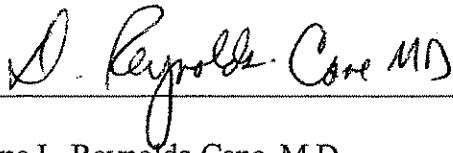
Dianne L. Reynolds-Cane, M.D.
Director

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CERTIFICATION OF DUPLICATE RECORDS

I, Dianne L. Reynolds-Cane, M.D., Director of the Department of Health Professions, hereby certify that the attached General Court Martial Order No. 14-11 dated July 14, 2011, regarding Tricia Nicole Gregory, R.N., is a true copy of the records received from the Department of the United States Navy, Navy Region, Mid-Atlantic, Norfolk, Virginia.



Date: 11-29-11

Dianne L. Reynolds-Cane, M.D.



DEPARTMENT OF THE NAVY

COMMANDER
NAVY REGION, MID-ATLANTIC
1510 GILBERT ST.
NORFOLK, VA 23511-2737

DNA PROCESSING REQUIRED. 10 U.S.C. 1565.

IN REPLY REFER TO:
14 July 2011

GENERAL COURT-MARTIAL ORDER NO. 14-11

Before a general court-martial convened at Region Legal Service Office Mid-Atlantic, Norfolk, Virginia, pursuant to Commander, Navy Region, Mid-Atlantic Court-Martial Convening Order 1-10 of 14 January 2010, Ensign Tricia N. Gregory, U.S. Navy, was arraigned and tried on the following offenses and the following findings or other dispositions were reached:

Charge I: Violation of the UCMJ, Article 86.

(PLEA - NOT GUILTY) (FINDING - WITHDRAWN/DISMISSED)

Specification: In that Ensign Tricia N. Gregory, Nurse Corps, U.S. Navy, Naval Medical Center Portsmouth, Virginia, on active duty, did, on board Naval Medical Center Portsmouth, Virginia, on 30 July 2010, without authority, fail to go a the time prescribed to her appointed place of duty, to wit: Immunizations Clinic at Naval Medical Center Portsmouth.

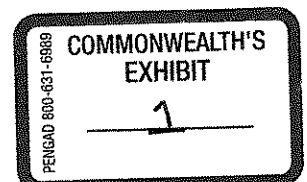
(PLEA - NOT GUILTY) (FINDING - WITHDRAWN/DISMISSED)

Charge II: Violation of the UCMJ, Article 92.

(PLEA - GUILTY) (FINDING - GUILTY)

Specification: Specification: In that Ensign Tricia N. Gregory, Nurse Corps, U.S. Navy, Naval Medical Center Portsmouth, Virginia, on active duty, who knew of her duties on board Naval Medical Center Portsmouth, Virginia, on divers occasions from on or about 24 August 2009 to on or about 23 February 2010, was derelict in the performance of those duties in that she willfully made unauthorized withdrawals of pharmaceuticals from the Pyxis automated dispensing system, as it was her duty not to do.

(PLEA - GUILTY, except for the words, "24 August 2009", substituting therefore the words, "1 January 2010". Of the excepted words, Not Guilty. Of the substituted words, Guilty. Of the Specification, as excepted and substituted, Guilty.)



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(FINDING - GUILTY, except for the words, "24 August 2009", substituting therefore the words, "1 January 2010". Of the excepted words, Not Guilty. Of the substituted words, Guilty. Of the Specification, as excepted and substituted, Guilty.)

Charge III: Violation of the UCMJ, Article 112a.

(PLEA - GUILTY) (FINDING - GUILTY)

Specification 1: In that Ensign Tricia N. Gregory, Nurse Corps, U.S. Navy, Naval Medical Center Portsmouth, Virginia, on active duty, did, on board Naval Medical Center Portsmouth, Virginia, on or about 16 April 2010, wrongfully possess one or more vials containing Morphine, a schedule II controlled substance.

(PLEA - GUILTY) (FINDING - GUILTY)

Specification 2: In that Ensign Tricia N. Gregory, Nurse Corps, U.S. Navy, Naval Medical Center Portsmouth, Virginia, on active duty, did, on board Naval Medical Center Portsmouth, Virginia, on or about 16 April 2010, wrongfully possess one or more vials containing Midazolam, a schedule IV controlled substance.

(PLEA - GUILTY) (FINDING - GUILTY)

Specification 3: In that Ensign Tricia N. Gregory, Nurse Corps, U.S. Navy, Naval Medical Center Portsmouth, Virginia, on active duty, did, on board Naval Medical Center Portsmouth, Virginia, on or about 16 April 2010, wrongfully possess one or more vials containing Lorazepam, a schedule IV controlled substance.

(PLEA - GUILTY) (FINDING - GUILTY)

Specification 4: In that Ensign Tricia N. Gregory, Nurse Corps, U.S. Navy, Naval Medical Center Portsmouth, Virginia, on active duty, did, in her private residence at 1 Harbor Court, Apartment 8G, Portsmouth, Virginia, on or about 21 April 2010, wrongfully possess one or more vials containing Midazolam, a schedule IV controlled substance.

(PLEA - GUILTY) (FINDING - GUILTY)

Specification 5: In that Ensign Tricia N. Gregory, Nurse Corps, U.S. Navy, Naval Medical Center Portsmouth, Virginia, on active duty, did, on board Naval Medical Center Portsmouth, Virginia, on divers occasions between on or about 1 January 2009 and 30 April

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2010, wrongfully possess Oxycodone, a schedule II controlled substance.

(PLEA - NOT GUILTY) (FINDING - WITHDRAWN/DISMISSED)

Specification 6: In that Ensign Tricia N. Gregory, Nurse Corps, U.S. Navy, Naval Medical Center Portsmouth, Virginia, on active duty, did, on board Naval Medical Center Portsmouth, Virginia, on divers occasions between on or about 1 January 2009 and 30 April 2010, wrongfully possess Morphine, a schedule II controlled substance.

(PLEA - GUILTY, excepting the words, "1 January of 2009 and 30 April 2010", substituting therefore the words, "1 January 2010 and 16 April 2010". Of the excepted words, Not Guilty. Of the substituted words, Guilty. Of the Specification, as excepted and substituted, Guilty.)

(FINDING - GUILTY, excepting the words, "1 January of 2009 and 30 April 2010", substituting therefore the words, "1 January 2010 and 16 April 2010". Of the excepted words, Not Guilty. Of the substituted words, Guilty. Of the Specification, as excepted and substituted, Guilty.)

Specification 7: In that Ensign Tricia N. Gregory, Nurse Corps, U.S. Navy, Naval Medical Center Portsmouth, Virginia, on active duty, did, on board Naval Medical Center Portsmouth, Virginia, on divers occasions between on or about 1 January 2009 and 30 April 2010, wrongfully possess Hydromorphone, a schedule II controlled substance.

(PLEA - GUILTY, excepting the words, "1 January of 2009 and 30 April 2010", substituting therefore the words, "1 January 2010 and 16 April 2010". Of the excepted words, Not Guilty. Of the substituted words, Guilty. Of the Specification, as excepted and substituted, Guilty.)

(FINDING - GUILTY, excepting the words, "1 January of 2009 and 30 April 2010", substituting therefore the words, "1 January 2010 and 16 April 2010". Of the excepted words, Not Guilty. Of the substituted words, Guilty. Of the Specification, as excepted and substituted, Guilty.)

Charge IV: Violation of the UCMJ, Article 121.

(PLEA - GUILTY) (FINDING - GUILTY)

DNA PROCESSING REQUIRED. 10 U.S.C. 1565.

Specification: In that Ensign Tricia N. Gregory, Nurse Corps, U.S. Navy, Naval Medical Center Portsmouth, Virginia, on active duty, did, on board Naval Medical Center Portsmouth, Virginia on divers occasions between on or about 24 August 2009 to on or about 23 February 2010, steal medical supplies, to wit: pharmaceuticals, syringes, and needles, military property of a value of more than \$500.00, the property of the U.S. Government.

(PLEA - GUILTY, excepting the words, "24 August 2009", substituting therefore the words, "1 January 2010". Of the excepted words, Not Guilty. Of the substituted words, Guilty. Of the Specification, as excepted and substituted, Guilty.)

(FINDING - GUILTY, excepting the words, "24 August 2009", substituting therefore the words, "1 January 2010". Of the excepted words, Not Guilty. Of the substituted words, Guilty. Of the Specification, as excepted and substituted, Guilty.)

Charge V: Violation of the UCMJ, Article 134.

(PLEA - GUILTY) (FINDING - GUILTY)

Specification 1: In that Ensign Tricia N. Gregory, Nurse Corps, U.S. Navy, Naval Medical Center Portsmouth, Virginia, on active duty, was, on board Naval Medical Center Portsmouth, Virginia, on or about 16 April 2010, as a result of wrong previous overindulgence in intoxicating liquor or drugs, incapacitated for the proper performance of her duties.

(PLEA - NOT GUILTY) (FINDING - WITHDRAWN/DISMISSED)

Specification 2: In that Ensign Tricia N. Gregory, Nurse Corps, U.S. Navy, Naval Medical Center Portsmouth, Virginia, on active duty, did, on board Naval Medical Center Portsmouth, Virginia, on or about 16 April 2010, was responsible for the care of an unnamed infant patient under the age of sixteen (16) years, and did endanger the safety of said infant patient, by carrying said infant patient while said Ensign Gregory was in an intoxicated state, and such conduct constituted culpable negligence.

(PLEA - GUILTY) (FINDING - GUILTY)

DNA PROCESSING REQUIRED. 10 U.S.C. 1565.

SENTENCE

Sentence adjudged: On 20 April 2011, the accused was sentenced to forfeit \$1000.00 per month for a period of 3 months and to be dismissed from the naval service.

ACTION

In the case of United States v. Ensign Tricia N. Gregory, U.S. Navy, -2732, the sentence is approved.

In accordance with the UCMJ, M.C.M. (2008 Edition), applicable regulations, and this action, the sentence is hereby executed.

In taking this action, I considered the fact that the military judge merged specifications 1 and 6 under Charge III after determining they were multiplicitous for sentencing purposes. Therefore, in taking action on this case I considered specification 1 and 6 of Charge III as a single offense. Additionally, I considered the record of trial, the results of trial, the matters submitted by defense counsel on 31 May 2011 and 7 July 2011, the recommendation of the Staff Judge Advocate dated 7 July 2011, and the addendum thereto dated 13 July 2011, prepared pursuant to R.C.M. 1106(d)(3), Manual for Courts-Martial.

The record of trial is forwarded to the Navy-Marine Corps Appellate Review Activity (Code 40), 1254 Charles Morris Street SE, Suite B01, Washington Navy Yard, D.C. 20374-5124 for review under Article 66, UCMJ.

The results of the foregoing case are hereby approved, and promulgated in accordance with R.C.M. 1114, M.C.M. (2008 Edition).



M. S. BOENSEL
Rear Admiral, U.S. Navy
Commander, Navy Region,
Mid-Atlantic

DISTRIBUTION:

ORIGINAL - Original Record of Trial

DNA PROCESSING REQUIRED. 10 U.S.C. 1565.

DUPLICATE ORIGINAL - Service Record of Accused

Certified Copies - Original ROT (3)

- Each ROT
- CNPC (PERS 832)
- GMCA - COMNAVREGMIDLANT
- CO, Naval Medical Center Portsmouth,
Portsmouth, VA
- DIRNCBP (President)
- Directorate of Debt and Claims Management
(DFAS-POCE/DE)
- PSD Norfolk, VA
- Naval Brig, Norfolk, VA

Plain Copies

- MJ - CAPT Modzelewski
- TC - LT Waldo
- DC - LT Bhatt
- CDC - Mr. Fasanaro.
- USACIL (Attn: Codis Lab)
- Accused
- File