



COMMONWEALTH of VIRGINIA

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

Department of Health Professions
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Virginia Board of Nursing
Jay P. Douglas, RN, MSM, CSAC
Executive Director

Board of Nursing (804) 367-4515
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July 20, 2012

Pamela Sickal, R.N.
101 Langford Lane
Water View, Virginia 23180

CERTIFIED MAIL
7196 9008 9111 0158 3203

Re: VA License No.: 0001-227385
Expiration Date: December 31, 2012

Dear Ms. Sickal:

This is official notification that an informal conference will be held pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), **on August 13, 2012, at 9:00 a.m.**, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233. You may be represented by an attorney at the conference. This informal conference will be convened as a public meeting pursuant to § 2.2-3700 *et seq.* of the Code.

The Special Conference Committee ("Committee"), which is comprised of at least two members of the Virginia Board of Nursing ("Board"), will inquire into allegations that you may have violated certain laws and regulations governing nursing practice in Virginia.

Specifically:

1. You may have violated § 54.1-3007(2), (5), (6) and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) and (f) of the Regulations Governing the Practice of Nursing ("Regulations") in that during the course of your employment with Hospice of Virginia, between January and April 2012, you diverted patients' narcotic medications for your personal and unauthorized use. Further, you altered the remaining liquid morphine in the bottles in order to mask the diversion. Specifically:

- a. On or about April 9, 2012, you diverted liquid morphine sulfate from Patient A and altered the remaining liquid morphine sulfate to mask the diversion.
- b. On or before April 17, 2012, you diverted liquid morphine sulfate from Patient B and altered the remaining liquid morphine sulfate to mask the diversion.
- c. On or before April 20, 2012, you diverted liquid morphine sulfate from Patient C and altered the remaining liquid morphine sulfate to mask the diversion.

d. On or before April 20, 2012, you diverted liquid morphine sulfate from Patient D and altered the remaining liquid morphine sulfate to mask the diversion.

e. On or before April 23, 2012, you diverted Dilaudid 4mg tablets (hydromorphone, Schedule II) and liquid morphine sulfate (Schedule II) from Patient E. You altered the remaining liquid morphine sulfate to mask the diversion.

f. In or about January 2012, you diverted liquid Dilaudid from Patient F.

2. You may have violated § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations in that on an application for employment with Hospice of Virginia, dated July 27, 2011, you omitted your prior employment with Riverside Walter Reed Hospital, which had been terminated on June 15, 2011, for suspected diversion of narcotic medications.

3. You may have violated § 54.1-3007(6) of the Code in that you may be unsafe to practice professional nursing due to substance abuse as evidenced by the following: on or about April 28, 2012, you presented to the emergency department of Rappahannock General Hospital, Kilmarnock, Virginia, with pain and swelling of your left arm. The emergency department staff observed multiple suspicious markings on your upper extremities. Due to suspicious markings on your arm, a urine drug screen was performed during this visit and was positive for opiates. On or about April 30, 2012, you returned to the emergency department with vomiting and worsening of the swelling of your arm, for which you were diagnosed with an abscess and required admittance to a contact isolation room. The attending physician found evidence of intravenous drug use and scars that were consistent with track marks. The physician performing the incision and drainage of the abscess reported that he had a difficult time sedating you. Further, as the area of your abscess improved, you continued to request IV Dilaudid (C-II).

Please see Attachment I for the names of the patients referred to above.

In its deliberations, the Committee may use the Sanction Reference Points System, as contained in the Sanction Reference Manual. The manual, which is a guidance document of the Board, may be accessed at <http://www.dhp.virginia.gov/nursing>. Please click on *Guidance Documents*, then select #90-7. You may also request a paper copy from the Board office by calling (804) 367-4515.

Since the allegations listed above involve impairment, please be advised that you may make application to the Health Practitioners' Monitoring Program ("HPMP"), which is available to all health care practitioners licensed in Virginia. Information about the HPMP is enclosed. Should you enter into a written agreement with the HPMP prior to your informal conference, the Committee will take that into consideration when deciding your case.

After the informal conference, the Committee is authorized by § 54.1-2400(10) of the Code to take any of the following actions:

- If the Committee finds that there is insufficient evidence to warrant further action or that the charges are without foundation, the Committee shall notify you by mail that your record has been cleared of any charge which might affect your right to practice nursing in the Commonwealth;
- The Committee may place you on probation for such time as it may designate and subject to such terms and conditions as it may deem appropriate;
- The Committee may reprimand you; or
- The Committee may impose a monetary penalty.

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Further, the Committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing. If the Committee is of the opinion that suspension or revocation may be justified, the Committee may offer you a Consent Order for suspension or revocation in lieu of a formal hearing.

If you fail to appear at the informal conference, the Committee may proceed to hear the case in your absence and may take any of the actions outlined above. At least ten days prior to the scheduled date of the conference, please inform this office at (804) 367-4617, or in writing at the address listed above, of your telephone number and whether you intend to appear at the informal conference.

To facilitate this proceeding, you should submit five copies of any documents you wish the Committee to consider to the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, by August 6, 2012. Your documents may not be submitted by facsimile or email.

You have the right to the information on which the Board will rely in making its decision. Therefore, I have enclosed a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the original notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of nursing and other healing arts in Virginia cited in this notice, can be found on the Internet at <http://leg1.state.va.us>. To access this information, please click on the *Code of Virginia* for statutes and *Virginia Administrative Code* for regulations. •

Sincerely,



Gloria D. Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director, Discipline

GDM/sk

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Special Conference Committee Members
Cynthia E. Gaines, Adjudication Specialist
Andria P. Christian, Senior Investigator (Case No.142988)
Lisa Thomas, R.N., Senior Investigator (Case No. 144590)
Peggy Wood, Monitoring Program Manager
Nathan Mortier, Esquire, 428 McLaws Circle, Suite 200, Williamsburg VA 23185