

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:            MELISSA T. WOODS, R.N. REINSTATEMENT APPLICANT**  
**License No.: 0001-178056**

**ORDER**

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on August 28, 2013, in Henrico County, Virginia, to receive and act upon Melissa T. Woods’ application for reinstatement of her license to practice professional nursing in Virginia and to inquire into evidence that Ms. Woods may have violated certain laws and regulations governing nursing practice. Ms. Woods was present and was not represented by legal counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1.     Melissa T. Woods was issued License No. 0001-178056 to practice professional nursing in the Commonwealth of Virginia on February 28, 2002. Said license was suspended by Order of the Board entered on September 30, 2008. Her primary state of residence is Virginia.
2.     By letter dated July 31, 2013, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Woods notifying her that an informal conference would be held on August 28, 2013. The Notice was sent by certified and first class mail to 8105 Kempwood Drive, Chesterfield, Virginia 23832, the address of record on file with the Board of Nursing.
3.     Ms. Woods submitted an application for reinstatement of her license to practice professional nursing which was received by the Board on December 27, 2012.

4. On January 4, 2010, in the Circuit Court of Henrico County, Virginia, Ms. Woods was convicted of felony prescription fraud.

5. Although she asserted that her date of sobriety was July 25, 2009, Ms. Woods continued to obtain large amounts of opiates and benzodiazepines from multiple practitioners since that time. In addition, she was hospitalized in March 2011 for an apparent overdose of fentanyl (Schedule II).

6. Ms. Woods signed a pain management agreement with her primary care physician on July 29, 2009, in which she agreed not to obtain opiates from other providers at multiple pharmacies. However, she continued to obtain opiates from other providers at multiple pharmacies while under the care of her primary care physician.

7. Ms. Woods was hospitalized on May 9, 2010, for depression and suicidal ideation, along with seizures. She was hospitalized on May 28, 2010, following complaints of migraines and acute psychosis, which included auditory hallucinations directing her to harm herself and others. She is currently under the treatment of a psychiatrist for bipolar disorder and of a neurologist for her seizures.

8. In an interview with an investigator for the Department of Health Professions on February 14, 2013, Ms. Woods stated that she had not obtained any opiates since July 27, 2009. However, her Prescription Monitoring Report indicated that she received prescriptions for opiates as recently as October 2012. At the informal conference, Ms. Woods stated that she last took narcotics in 2012.

9. Ms. Woods entered into the Health Practitioners' Monitoring Program ("HPMP") on April 15, 2013. In a letter dated August 23, 2013, her HPMP case manager stated that Ms. Woods was on warning status due to failing to obtain a substance abuse assessment, failing to enter treatment, and failing to call the test line on August 13, 2013.

10. Ms. Woods stated at the informal conference that she was placed on warning status because she did not enter treatment by the date required by HPMP. She stated that she began attending an intensive

outpatient program with the Richmond Recovery Center on August 7, 2013. She also stated that she attends four 12-step meetings per week and has a sponsor, and that she attends one Caduceus meeting per week.

### **CONCLUSIONS OF LAW**

1. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(4) of the Code.
2. Findings of Fact Nos. 5-7 constitute a violation of § 54.1-3007(6) of the Code.
3. Finding of Fact No. 8 constitutes a violation of § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(n) of the Regulations Governing the Practice of Nursing.
4. The Board concludes that Ms. Woods has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner.

### **ORDER**

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. The license of Melissa T. Woods to practice professional nursing in Virginia is hereby REINSTATED. Ms. Woods shall continue to comply with the terms and conditions of the HPMP for the period specified by the HPMP.
2. Ms. Woods shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.
3. This order shall be applicable to Ms. Woods' multistate licensure privilege, if any, to practice professional nursing. For the duration of this Order, Ms. Woods shall not work outside 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 request for out of state employment shall be directed, in writing, to the Executive Director of the Board.
4. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Woods, and an administrative proceeding shall be held to decide whether her license should

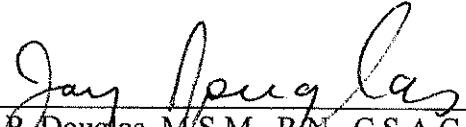
be revoked. Ms. Woods shall be noticed to appear before the Board at such time as the Board is notified that:


- a. She is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
- b. There is a pending investigation or unresolved allegation against her involving a violation of law or regulation or any term or condition of this Order; or
- c. She has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of evidence of Ms. Woods' participation in and compliance with the HPMP, the Board, at its discretion, may waive her appearance before the Board and conduct an administrative review of this matter.

Pursuant to §§ 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 public record and shall be made available for public inspection or copying on request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Woods may, not later than 5:00 p.m., on **October 15, 2013**, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:

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

Certified True Copy  
  
By \_\_\_\_\_  
Virginia Board of Nursing

ENTERED: September 9<sup>th</sup>, 2013

This Order shall become final on **October 15, 2013**, unless a request for a formal administrative hearing is received as described above.