

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: ANN-MARY NADEAU, R.N.
 License No.: 0001-142847**

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on July 15, 2013, in Henrico County, Virginia, to inquire into evidence that Ann-Mary Nadeau, R.N., may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board entered on October 31, 2012. The case was presented by Tammie D. Jones, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Nadeau was not present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Ann-Mary Nadeau, R.N., was issued License No. 0001-142847 to practice professional nursing in the Commonwealth of Virginia on May 19, 1995. Said license was indefinitely suspended by Consent Order of the Board entered July 20, 2010, with said suspension stayed contingent upon Ms. Nadeau's compliance with certain terms and conditions. By letter dated October 31, 2012, the stay of suspension was summarily rescinded. Her primary state of residence is Virginia.
2. Based upon the representations of Tammie Jones and Commonwealth's Exhibit #1, the Notice of Formal Hearing and Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in her absence.

3. By Consent Order entered July 20, 2010, Ms. Nadeau's license was indefinitely suspended with said suspension stayed contingent upon her entry into and compliance with the Health Practitioners' Monitoring Program ("HPMP"), due to substance abuse. Ms. Nadeau entered a Participation Contract on October 7, 2011. She successfully completed the intensive outpatient treatment program at Tidewater Psychotherapy and began the aftercare program.

4. On October 19, 2012, Ms. Nadeau was dismissed from the HPMP due to noncompliance. Specifically:

a. A prescription monitoring report conducted on May 11, 2012, revealed that Ms. Nadeau failed to submit timely physician reports for five prescriptions for controlled substances.

b. On July 23, 2012, Ms. Nadeau tested positive for morphine, for which she did not have a valid prescription.

c. Ms. Nadeau failed to comply with the recommendation to enter residential treatment.

5. On November 20, 2012, during an interview with an investigator from the Department of Health Professions, Ms. Nadeau reported that she is no longer interested in practicing nursing and that she has decided to return to school to study accounting.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 4 constitutes a violation of Term No. 6 of the Board Order entered July 20, 2010.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. Ann-Mary Nadeau, R.N., is hereby REPRIMANDED.

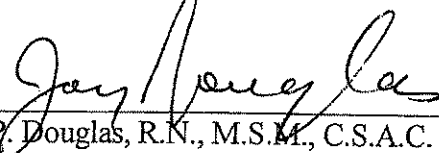
2. License No. 0001-142847 issued to Ann-Mary Nadeau, R.N., to practice professional nursing in the Commonwealth of Virginia is CONTINUED on INDEFINITE SUSPENSION.

3. The license of Ann-Mary Nadeau, R.N., will be recorded as SUSPENDED and no longer current. Should Ms. Nadeau seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license prior to issuance of her license to resume practice.

4. At such time as Ms. Nadeau shall petition the Board for reinstatement of her license, an administrative hearing will be convened to determine whether she is able to return to the safe and competent practice of professional nursing.

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.

FOR THE BOARD



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

ENTERED

August 8TH, 2013

Certified True Copy,
By drakham
Virginia Board of Nursing

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.