

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: MARY M. SCOTKA HALL, R.N. REINSTATEMENT APPLICANT
License No.: 0001-176592

NOTICE OF HEARING

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Mary M. Scotka Hall, who, prior to its suspension by the Department of Health Professions on February 16, 2012, held License No. 0001-176592 to practice professional nursing in Virginia, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on **July 18, 2013, at 11:00 a.m.**, at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Ms. Hall will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Hall has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. Hall desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to receive and act upon the application of Mary M. Scotka Hall for reinstatement of her license to practice professional nursing in Virginia, which was mandatorily suspended by the Department of Health Professions on February 16, 2012, and to inquire into evidence that Ms. Hall may have violated certain laws and regulations governing professional nursing practice in Virginia, as more fully set forth in the Statement of Particulars below.

The burden rests upon Ms. Hall, as the applicant, to demonstrate that she is capable of resuming the safe and competent practice of professional nursing in Virginia.

Pursuant to § 54.1-2409 of the Code, reinstatement of Ms. Hall's license requires the affirmative vote of three-fourths of the members of the Board in attendance at the hearing.

STATEMENT OF PARTICULARS

The Board alleges that:

1. Mary M. Scotka Hall may have violated § 54.1-3007(7) of the Code in that her license was revoked by a Default Decision and Order entered April 3, 2009, by the California Board of Registered Nursing. Said revocation formed the basis of the mandatory suspension of Ms. Hall's license.
2. Ms. Hall may have violated § 54.1-3007(2), (5), (6), and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing ("Regulations") in that during the course of her employment at Sentara Williamsburg Regional Medical Center, Williamsburg, Virginia, by her own admission, from in or about September 2011, to on or about October 13, 2011, Ms. Hall diverted Dilaudid for her personal and unauthorized use. Further, on several occasions, Ms. Hall adulterated Dilaudid syringes with saline before administering the medication to the patient.
3. Ms. Hall may have violated § 54.1-3007(2), (5), (6), and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations in that during the course of her employment at Good Samaritan Hospital in Los Angeles, California, from in or about August 2006, to July 11, 2007, Ms. Hall diverted Dilaudid (hydromorphone, Schedule II) and Vicodin (hydrocodone, Schedule III) for her personal and unauthorized use and documented some of the drugs as being administered to patients.
4. Ms. Hall may have violated § 54.1-3007(7) of the Code in that her license was revoked by Order of the Board of Nurse Examiners of the State of Texas entered November 13, 2007.
5. Ms. Hall may have violated § 54.1-3007(2), (5), (6), and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations in that during the course of her employment at Williamsburg Community Hospital, Williamsburg, Virginia, by her own admission, from on or about August 27, 2001 to September 24,

2001, she diverted Demerol (meperidine, Schedule II) for her personal and unauthorized use and injected the drug while on duty.

6. Ms. Hall may have violated § 54.1-3007(4) of the Code in that, on or about July 23, 2003, in the Circuit Court of Williamsburg/James City County, Virginia, Ms. Hall was convicted of obtaining drugs by fraud – an accessory after the fact, a misdemeanor.

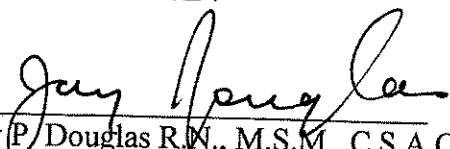
7. Ms. Hall may have violated § 54.1-3007(6) of the Code in that she may be impaired due to substance abuse as acknowledged in signing a Participation Contract with the Health Practitioners' Monitoring Program on October 27, 2011.

8. Ms. Hall may have violated § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations in that:

a. On the application for employment with Sentara Williamsburg Regional Medical Center dated January 10, 2011, Ms. Hall falsely stated that she resigned from Cumberland Hospital for Children and Adolescents, New Kent, Virginia, when, in fact, her employment was terminated for falsifying a FMLA Medical Certification Form.

b. On the application for employment with Cumberland Hospital for Children and Adolescents, dated May 16, 2008, Ms. Hall falsely stated that she resigned from Good Samaritan Hospital, when, in fact, she was terminated for diverting drugs.

FOR THE BOARD:


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

ENTERED: June 26th, 2013