

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: RACHEL RETALLICK, R.N.
a/k/a RACHEL PARRISH
License No.: 0001-204096

RECEIVED

JUL 08 2013

VA BD OF NURSING

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Rachel Retallick, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Retallick's license to practice professional nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Rachel Retallick, R.N., was issued License No. 0001-204096 to practice professional nursing by the Virginia Board of Nursing on October 6, 2006. Said license is valid in Virginia only and is scheduled to expire on April 30, 2014. Her primary state of residence is Virginia.
2. During the course of her employment with the VCU Health System, Richmond, Virginia, for approximately ten months in 2011, Ms. Retallick diverted narcotic medications from hospital supplies for her personal and unauthorized use. She accomplished this diversion by accessing the Pyxis system with a co-worker's pass code, removing medications for herself, and fraudulently documenting that the co-worker had witnessed her wastage of unused medications. Her employment was terminated as a result of this diversion.
3. In 2011, Ms. Retallick fraudulently obtained approximately 17 prescriptions for narcotic medications by calling in prescriptions using the names of a former employer and a former co-worker at Central Virginia Gynecologic Oncology, Richmond, Virginia. In relation to this behavior, Ms. Retallick pled guilty to one count of prescription fraud in the Circuit Court of Chesterfield County, Virginia, on July 26, 2012. She was granted a deferred judgment under terms and conditions, with a review date of July 15, 2013.

4. Ms. Retallick entered into the Health Practitioners' Monitoring Program ("HPMP") in December 2011 and was granted a stay of disciplinary action on May 7, 2012, with the expectation that she would comply with the terms and conditions of her contracts with the Program. She was approved to look for work in April 2012.

5. During the course of her employment with the UVA Health System, Charlottesville, Virginia, in January 2013, Ms. Retallick diverted Tramadol from hospital supplies for her personal and unauthorized use. Her employment was terminated as a result of this diversion.

6. Ms. Retallick was dismissed from the HPMP on May 20, 2013, for failure to enter and complete treatment as recommended following her relapse and diversion of Tramadol. In addition, Ms. Retallick had sent a letter of resignation to the HPMP in February 2013.

7. In an interview with an investigator for the Department of Health Professions February 28, 2013, Ms. Retallick indicated that she was considering surrendering her license to the Board.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 2, 3, and 5 constitute violations of § 54.1-3007(2), (5), and (6) of the Code of Virginia (1950), as amended ("Code") and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing.

2. Finding of Fact No. 6 constitutes a violation of § 54.1-3007(6) of the Code.

CONSENT

Rachel Retallick, R.N., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;

3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice professional nursing in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. The Board ACCEPTS the VOLUNTARY SURRENDER for INDEFINITE SUSPENSION of Rachel Retallick's license to practice professional nursing in the Commonwealth of Virginia.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Retallick shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Retallick shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.
4. This suspension applies to any multistate privilege to practice 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 upon request.

FOR THE BOARD:

Jane Ingalls
Jane Ingalls, R.N., Ph.D.
President, Virginia Board of Nursing

ENTERED: July 17, 2013

SEEN AND AGREED TO:

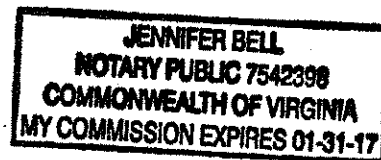
Rachel Retallick
Rachel Retallick, R.N.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Chesterfield, TO WIT:

Subscribed and sworn to before me, Jennifer Bell, a Notary Public, this 3 day of July, 2013.

My commission expires January 31, 2017.

Registration Number 754 2398.



Jennifer Bell
NOTARY PUBLIC

Certified True Copy

By Andrea Butler 1/7/14
Virginia Board Of Nursing