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VA BOARD OF NURSING

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       STEPHANIE M. LINVILLE, R.N.  
              License No.: 0001-209951**

**CONSENT ORDER**

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

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

**FINDINGS OF FACT**

1.       Stephanie M. Linville, R.N., was issued License No. 0001-209951 to practice professional nursing by the Virginia Board of Nursing on October 24, 2007. Said license is valid in Virginia only and is set to expire on September 30, 2014. Ms. Linville also holds License No. RN9216909 to practice professional nursing in Florida which expires on April 30, 2014, License No. PN1295531 to practice practical nursing in Florida which expired on July 31, 2005, and License No. 1714332 to practice professional nursing in Tennessee which expired on September 30, 2012. Her primary state of residence is Florida.

2.       During the course of her employment with Consulate Health Care, Pensacola, Florida, on March 7, 2012, following a random drug screen, Ms. Linville tested positive for oxycodone, morphine and oxymorphone, for which she did not have valid prescriptions. Ms. Linville admitted to a one-time recreational use of said drugs at a party.

3.       On October 11, 2012, the Florida Board of Nursing entered a Final Order suspending Ms. Linville's professional nursing license pending a substance abuse evaluation. Following the evaluation, the

suspension was stayed, and Ms. Linville was ordered to comply with certain terms and conditions to include monitoring by the Intervention Project for Nurses (“IPN”).

4. Ms. Linville entered a five-year monitoring contract with the IPN on October 8, 2012. On December 18, 2012, during an interview with an investigator from the Department of Health Professions, the IPN case manager reported that Ms. Linville was in compliance with her contract. As of December 12, 2012, Ms. Linville reported being employed in a retail setting.

### **CONCLUSIONS OF LAW**

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2) and (5) of the Code of Virginia (1950), as amended (“Code”), and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing.
2. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(7) of the Code.

### **CONSENT**

Stephanie M. Linville, 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. Stephanie M. Linville, R.N., shall be placed on INDEFINITE PROBATION subject to the following terms and conditions:
  - a. Ms. Linville shall comply with all terms and conditions of the Florida IPN for the period specified by the IPN.
  - b. Quarterly reports shall be provided at the direction of Ms. Linville by the IPN, as provided by the Compliance Division. Further, the IPN shall provide notification when Ms. Linville has completed her contract or has been dismissed from the program. The first report must be received in the Board office no later than 60 days from the date this Consent Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends.
  - c. Ms. Linville shall submit quarterly “Self-Reports” which include a current address, telephone number, and verification of all current employment. These reports shall also include any changes in employment status. The first report must be received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends.
  - d. Ms. Linville shall return all copies of her license to practice as a professional nurse to the Board office within ten days of the date of entry of this Consent Order, along with a payment of a fee of \$15.00. Upon receipt, the Board shall issue a new license marked “Valid in Virginia Only; Probation with Terms.”

e. Ms. Linville 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 Regulations Governing the Practice of Nursing.

f. Any violation of the stated terms and conditions contained in this Consent Order, or failure to comply with all terms of this Order within five years of the date of entry of the Consent Order, shall be reason for suspending or revoking the license of Stephanie M. Linville, R.N., and an administrative proceeding may be held to determine whether her license shall be suspended or revoked.

Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Consent 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:

*Jay Douglas*

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

ENTERED: May 8<sup>th</sup>, 2013

SEEN AND AGREED TO:

*Stephanie M. Linville R.N.*

Stephanie M. Linville, R.N.

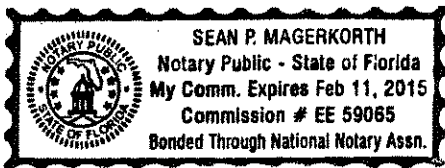
STATE OF FLORIDA,  
COUNTY/CITY OF Milton, TO WIT:

Subscribed and sworn to before me, Sean P. Magerkorth, a Notary Public, this 29<sup>th</sup> day of June, 2013.

My commission expires 2-11-13.

Registration Number \_\_\_\_\_

*Sean P. Magerkorth*  
NOTARY PUBLIC



Certified True Copy

By *Stephanie M. Linville*  
Virginia Board of Nursing