

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: CAROLYN QUAYLE, R.N.
License No.: 0001-140536

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 June 4, 2013, in Henrico County, Virginia, to inquire into evidence that Carolyn Quayle, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia. Ms. Quayle was present and was not represented by counsel.

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

FINDINGS OF FACT

1. Carolyn Quayle, R.N., was issued License No. 0001-140536 to practice professional nursing in the Commonwealth of Virginia on September 28, 1994. Said license expires on October 31, 2013. Ms. Quayle’s primary state of residence is Virginia.
2. By letter dated May 7, 2013, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Quayle notifying her that an informal conference would be held on June 4, 2013. The Notice was sent by certified and first class mail to 5519 Beaconsfield Court, Burke, Virginia, 22015, the address of record on file with the Board of Nursing. The Notice was also sent to 6240 Edsall Road, #201, Alexandria, Virginia, 22313, a secondary address.
3. During the course of her employment with Sibley Hospital, Washington, D.C., from 2009-2010, by her own admission, Ms. Quayle diverted Percocet (oxycodone/acetaminophen - Schedule II) for her

personal and unauthorized use and falsely documented administering Percocet to a patient to conceal the diversion.

4. Ms. Quayle became addicted to Percocet, which had been prescribed to her following extensive dental work, in 2008. She has dealt with addiction since 1982, when she began abusing alcohol.

5. On her August 20, 2012, application for employment with INOVA Health System - Mount Vernon, Ms. Quayle stated that her employment with Sibley Hospital, Washington, D.C., had ended because of a “sudden medical issue which has been treated,” although her employment had been terminated for diverting Percocet and falsifying patient documentation.

6. Ms. Quayle reported her date of sobriety from all substances, including Percocet and alcohol, as January 20, 2010, when she entered into Harrison House for 30-day inpatient residential treatment. She entered Harrison House following her disclosure to her employer at Sibley that she had been diverting Percocet and falsely documenting the administration of the medication.

7. Ms. Quayle currently attends Alcoholics Anonymous meetings, which she has completed in the past, and is again going through the 12-step program. She has a sponsor. She is currently prescribed Suboxone to treat her Percocet addiction. Ms. Quayle stated at the informal conference that she recognizes that she is an addict.

8. Ms. Quayle remains employed in good standing with INOVA Health System, Mount Vernon. Ms. Quayle’s supervising nurse at INOVA wrote a letter to the Board, dated June 2, 2013, on behalf of Ms. Quayle, attesting to her good work performance and that Ms. Quayle had disclosed her substance abuse history shortly after she was hired by INOVA. The supervisor further wrote that Ms. Quayle has had no attendance issues during her employment with INOVA and that she “do[es] not have any concerns related to [Ms. Quayle’s] practice or performance.”

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 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 Governing the Practice of Nursing (“Regulations”).
2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code.
3. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations.

ORDER

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

1. Carolyn Quayle, R.N., shall be placed on PROBATION for a period of two years of actual nursing practice and subject to the following terms and conditions:
 - a. The period of probation shall begin on the date that this Order is entered and shall end at such time as Ms. Quayle has completed two years of active employment as a professional nurse. The license of Ms. Quayle shall be reinstated without restriction at the completion of the probationary period without a hearing unless there is a pending investigation or unresolved allegation involving a violation of law, regulation, or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 2.2-4000, et seq. of the Code.
 - b. Ms. Quayle shall inform the Board in writing within ten days of the date she begins nursing practice or changes employment, or if any interruption in nursing practice occurs. Additionally, Ms. Quayle shall provide the name and address of each employer to the Board.
 - c. Ms. Quayle shall inform her current nursing employer and each future nursing employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order.

If Ms. Quayle is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.

d. Performance evaluations shall be provided, at the direction of Ms. Quayle, by all nursing employers, as provided by the Compliance Division. 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.

e. Ms. Quayle shall practice nursing in a structured/supervised employment setting satisfactory to the Board for two years after being placed on probation. This employment setting shall provide on-site supervision by a physician or professional nurse, who works the same shift and holds an unrestricted license. For all current nursing employment, and before beginning or changing nursing employment during this period, Ms. Quayle shall have current and all prospective employers provide a written description of the employment setting to the Board office for approval.

f. Ms. Quayle shall not use alcohol or any other mood altering chemical, except as prescribed by a health care practitioner with whom she has a bona fide practitioner/patient relationship and for accepted medicinal or therapeutic purposes. Should she be prescribed any Schedule II-V controlled medication, a written report from the prescribing practitioner shall be provided to the Board within ten days of the date the medication is prescribed.

g. Ms. Quayle shall be required to have two supervised, unannounced random drug screens a quarter, from a Board-approved testing entity, which includes testing for alcohol and the following drugs of choice: Percocet, marijuana, and Vicodin. Ms. Quayle shall ensure that the first set of results is received by the Board no later than 60 days from the date this Order is entered. Subsequent results must be received quarterly by the last day of the months of March, June, September, and December until the period of probation ends. The Board shall be notified immediately in writing of any positive results or if Ms. Quayle refuses to give a

specimen for analysis as required by this Order. All positive results must be confirmed by a confirmatory drug test, the results of which are to be sent to the Board.

h. Ms. Quayle shall attend Alcoholics Anonymous or other groups acceptable to the Board five times per week and shall have written evidence of attendance by a sponsor or contact person sent to the Board within ten days of each meeting.

i. Ms. Quayle shall provide all current and future treating practitioners with a complete copy of this Order and shall execute an Authorization for Disclosure of Information form providing for unrestricted communication between the Board and any court-appointed probation or parole officers and any consultants designated by the Board.

j. Ms. Quayle 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.

k. Ms. Quayle 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 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."

l. Ms. Quayle shall conduct herself as a professional nurse in compliance with the requirements of Title 54.1, Chapter 30 of the Code and the Board of Nursing Regulations.


m. Any violation of the terms and conditions contained in this Order, or failure to comply with all terms of this Order within five years of the date of entry of the Order, shall be reason for suspending or revoking the license of Ms. Quayle, and an administrative proceeding may be held to determine whether her license shall be surrendered or revoked.

n. This Order is applicable to Ms. Quayle's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Quayle shall not work outside of 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 requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

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. Quayle may, not later than 5:00 p.m., on August 5, 2013, notify Jay P. Douglas, 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.

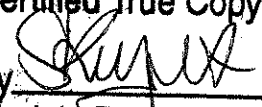
FOR THE COMMITTEE:



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

ENTERED: July 3, 2013

This Order shall become final on August 5, 2013 unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 

Virginia Board of Nursing