

BEFORE THE BOARD OF NURSING

IN RE:

ELISABETH ANNE PELLEGRINO, R.N.

CONSENT ORDER

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

FINDINGS OF FACT

1. Elisabeth Anne Pellegrino, R.N., was issued License No. 0001-152691 to practice professional nursing by the Virginia Board of Nursing on March 27, 1997. Said license is set to expire on March 31, 2009.

2. Between January, 2005, and May 3, 2005, during the course of her employment with VCU Health System, Richmond, Virginia, Ms. Pellegrino repeatedly diverted Dilaudid (hydromorphone, Schedule II), Versed (midazolam, Schedule IV), fentanyl (Schedule II), and morphine (Schedule II) for her own personal use.

3. On May 10, 2005, Ms. Pellegrino signed a participation contract with the Health Practitioners' Intervention Program ("HPIP"). On January 3, 2007, Ms. Pellegrino signed a Recovery Monitoring Contract with HPIP. Ms. Pellegrino is currently in compliance with her Recovery Monitoring Contract.

CONCLUSIONS OF LAW

Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2), (3), (5), and (6) 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.

CONSENT

Elisabeth Anne Pellegrino, by affixing her signature hereon, agrees to the following:

1. Ms. Pellegrino has been advised to seek advice of counsel prior to signing this document;
2. Ms. Pellegrino 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. Ms. Pellegrino 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. Ms. Pellegrino waives all such right to an informal conference;
5. Ms. Pellegrino admits to the Findings of Fact contained herein and waives her right to contest such Findings of Fact in any subsequent proceeding before the Board;
6. Ms. Pellegrino 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 shall TAKE NO ACTION at this time contingent expressly on Ms. Pellegrino's continued compliance with the following terms and conditions:
 - a. Ms. Pellegrino shall comply with all terms and conditions of her Recovery Monitoring Contract with HPIP for the period specified in the contract.
 - b. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Elisabeth Anne Pellegrino, R.N., and an administrative proceeding shall be held to

decide whether her license should be revoked. Ms. Pellegrino shall be noticed to appear before the Board at such time as the Board is notified that:

i. Ms. Pellegrino is not in compliance with the terms and conditions of the HPIP, or has been terminated from participation in the HPIP;

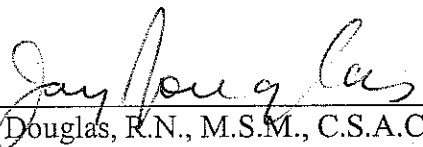
ii. There is a pending investigation or unresolved allegations against Ms. Pellegrino involving a violation of law or regulation or any term or condition of this Order; or

iii. Ms. Pellegrino has successfully completed the above-referenced period of participation in the HPIP. However, upon receipt of Ms. Pellegrino's participation in and compliance with the HPIP, the Board, at its discretion, may waive Ms. Pellegrino's appearance before the Board and conduct an administrative review of this matter.

2. Ms. Pellegrino 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 Board of Nursing Regulations.

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



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

ENTERED: August 13TH, 2008

SEEN AND AGREED TO:


Elisabeth Anne Pellegrino, R.N.

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

Subscribed and sworn to before me, Heather L. Parks, a Notary Public, this 7th day of August, 2008.

My commission expires February 28, 2011.

Registration Number 7112799.

Heather L. Parks 7112799
NOTARY PUBLIC

