

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: JENNIFER ROWE, R.N.

CONSENT ORDER

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

FINDINGS OF FACT

1. Jennifer Rowe was issued License No. 0001-201261 to practice professional nursing by the Virginia Board of Nursing on June 15, 2006. Said license is set to expire on September 30, 2008.
2. During the course of her employment at Bon Secours Hampton Roads Mary Immaculate Hospital, Newport News, Virginia:
 - a. Between September and December, 2007, Ms. Rowe diverted Percocet (oxycodone, Schedule II) from patient supplies for her own personal and unauthorized use.
 - b. On at least one occasion, Ms. Rowe deprived a patient of her requested pain medication by diverting it to herself.
3. Ms. Rowe signed a Participation Contract with the Health Practitioners' Intervention Program ("HPIP") on December 13, 2007, in which she acknowledged that her ability to practice nursing safely was impaired by her abuse of Percocet.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2(a) constitutes a violation 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) of the Board of Nursing Regulations.

2. Finding of Fact No. 2(b) constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Board of Nursing Regulations.

CONSENT

Jennifer Rowe, 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 contained herein and waives her right to contest such Findings of Fact 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:

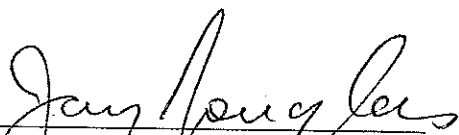
1. Jennifer Rowe, R.N., is hereby REPRIMANDED.
2. The Board shall take NO FURTHER ACTION against Ms. Rowe contingent upon the condition that Ms. Rowe continue to comply with the HPIP for the period specified by the HPIP.
3. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Jennifer Rowe, and an administrative proceeding shall be held to decide whether her license

should be revoked. Ms. Rowe shall be noticed to appear before the Board at such time as the Board is notified that:

- a. She is not in compliance with the terms and conditions of the HPIP, or has been terminated from participation in the HPIP;
- b. There is a pending investigation or unresolved allegation against Ms. Rowe involving a violation of law or regulation or any term or condition of this Order; or
- c. Ms. Rowe has successfully completed the above-referenced period of participation in the HPIP. However, upon receipt of Ms. Rowe's participation in and compliance with the HPIP, the Board, at its discretion, may waive Ms. Rowe's appearance before the Board and conduct an administrative review of this matter.

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 21st, 2008

SEEN AND AGREED TO:

Jennifer Rowe RN
Jennifer Rowe, R.N.

State of MARYLAND
~~COMMONWEALTH OF VIRGINIA,~~
COUNTY/CITY OF HARFORD, TO WIT:

Subscribed and sworn to before me, Amy L. Elza, a Notary Public, this 11th day of August, 2008.

My commission expires 10-01-10.

Registration Number _____

Amy L. Elza
NOTARY PUBLIC

Certified True Copy
By dorabam
Virginia Board of Nursing