

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: JACQUELINE WALKER, R.N.
 License No.: 0001-155114**

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on May 23, 2013, in Henrico County, Virginia, to inquire into evidence that Jacqueline Walker, R.N., may have violated certain laws and regulations governing nursing practice in Virginia. The case was presented by Anne Glick Joseph, Deputy Director, Administrative Proceedings Division. Howard M. Casway, Senior Assistant Attorney General, was present as legal counsel for the Board. Ms. Walker was not present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Jacqueline Walker, R.N., was issued License No. 0001-155114 to practice professional nursing in Virginia on July 28, 1997. Said license is scheduled to expire on July 31, 2013. Her primary state of residence is Virginia.
2. Based upon the representations of Anne G. Joseph, Deputy Director of the Administrative Proceedings Division, and Commonwealth's Exhibit No. 1, the Notice of Formal Hearing and Statement of Particulars and the Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to Ms. Walker and the hearing proceeded in her absence. Ms. Walker texted Board staff at 1:17 p.m. to advise that she was delayed due to traffic and would be delayed in arriving. She texted a second time at

2:08 p.m. to say she was still enroute. The Board convened the hearing in her absence at 2:16 p.m. Ms. Walker was not present at the conclusion of the evidentiary portion of the hearing at 3:00 p.m.

3. During the course of her employment with Sentara Northern Virginia Medical Center, Woodbridge, Virginia, at approximately 11:00 a.m. on June 22, 2012, Ms. Walker appeared on duty with a strong odor of alcohol on her breath. The odor of alcohol was observed by several co-workers. Co-workers also observed Ms. Walker behaving in an erratic manner. While meeting with management staff regarding her behavior, an empty hydromorphone syringe (Schedule II) was discovered on her person. She refused to submit to a drug/alcohol test and abruptly resigned her position.

4. Between April and June, 2012, as revealed by an audit conducted by the Director of Pharmacy Services for Sentara Northern Virginia Medical Center, Ms. Walker diverted controlled substances including hydromorphone, morphine, and ketamine. Specifically, in three instances, she withdrew medications and failed to account for the administration or other disposition of the medications. In eight instances, she failed to account for the disposition of unused medications that she withdrew and administered to patients.

5. On June 22, 2012, Ms. Walker removed 2 mg hydromorphone, and documented administration of 1 mg. She further failed to document the disposition of the remaining 1 mg.

6. The Director of Pharmacy Services testified that the percentage of discrepancies for Ms. Walker's withdrawal of controlled medications during this period was 7.8 percent, which was significantly higher than that of other nurses.

CONCLUSIONS OF LAW

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

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. License No. 0001-155144 issued to Jacqueline Walker, R.N., to practice professional nursing in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED.
2. The license of Ms. Walker will be recorded as SUSPENDED and no longer current. Should Ms. Walker seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license prior to issuance of her license to resume practice.
3. At such time as Ms. Walker shall petition the Board for reinstatement of her license, a hearing will be convened to determine whether she is able to return to the safe and competent practice of professional nursing.
4. This Order shall be applicable to Ms. Walker's multistate licensure privileges, if any, 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 on request.

FOR THE BOARD

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

May 31, 2013
ENTERED

Certified True Copy
By *draham*
Virginia Board of Nursing

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.