

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: ASHLEY N. SULLIVAN, R.N.
License Number: 0001-230085
Case Number: 164139

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing ("Board") held a formal administrative hearing on September 22, 2016, in Henrico County, Virginia, to inquire into evidence that Ashley N. Sullivan, R.N. may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Ashley N. Sullivan, R.N., appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated June 23, 2016, the Board sent a Notice of Formal Hearing ("Notice") to Ms. Sullivan notifying her that a formal administrative hearing would be held on July 21, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. At Ms. Sullivan's request, the matter was continued. By letter dated August 11, 2016, the Board sent an Amended Notice of Formal Hearing ("Amended Notice") to Ms. Sullivan notifying her that a formal administrative hearing would be held on September 22, 2016. The Amended Notice was sent by certified and first class mail to the legal address of record on file with the Board.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT

1. Ashley N. Sullivan, R.N. holds License No. 0001-230085 to practice professional nursing in the Commonwealth of Virginia. At all times relevant hereto, said license was in full force and effect. Her primary state of residence is Virginia.
2. From June 8 through June 12, 2015, Ms. Sullivan received inpatient psychiatric treatment at Spotsylvania Regional Medical Center, Fredericksburg, Virginia for mood disorder not otherwise specified and rule out bipolar disorder versus mood disorder secondary to substance use, with opioid dependence, with THC dependence. Ms. Sullivan's discharge diagnoses included mood disorder, NOS, with opioid dependence, with THC dependence, with cluster B personality traits.
3. During her treatment with Spotsylvania Regional Medical Center, Ms. Sullivan reported that she had abused drugs for the past six months including heroin, marijuana, and narcotic pills.
4. During her treatment with Spotsylvania Regional Medical Center, Ms. Sullivan reported that she often skipped taking her prescribed psychotropic medications.
5. From July 10 through September 21, 2015, Ms. Sullivan received outpatient treatment at Virginia Integrative Psychiatry, Fredericksburg, Virginia for diagnoses of post-traumatic stress disorder, depressive disorder NOS, and opioid dependence in remission.
6. Following her admission, Ms. Sullivan continued to work at the Visiting Nurse Service, Fredericksburg, Virginia. On November 10, 2015, Ms. Sullivan's supervisor at the Visiting Nurse Service told the investigator for the Department of Health Professions that Ms. Sullivan was having significant personal issues and time management problems, and was currently not dependable. He also stated that she required significant follow-up and monitoring.
7. To date, Ms. Sullivan has not enrolled in the Health Practitioners' Monitoring Program ("HPMP").

8. Hubert Griffith, Clinical Director of Nursing at The Visiting Nurse Service, testified that prior to her hospitalization, Ms. Sullivan struggled with maintaining the necessary client load. After her discharge, he knew that she was unable to manage a full day of visits. Therefore, her number of patient visits per day was reduced and restricted, and he knows he must continue to monitor her practice.

9. Ms. Sullivan testified that she has a reduced load of patients and does not work a forty hour week, but that she recently has had up to seven patients in one day.

10. Ms. Sullivan told the Board that she has a good support system, including her parents and siblings. She attends Narcotics Anonymous three to four times per week, and has been attending for around six months. She has a sponsor. She was unable to identify what step she is on in the 12-Step program. She reported her sobriety date as August 6, 2015. Ms. Sullivan told the Board that she did not enter suboxone treatment despite its being prescribed because she felt that suboxone was addictive. No evidence was presented that Ms. Sullivan entered into any drug treatment programs.

11. Ms. Sullivan stated that she thinks the HPMP is a good idea, but that she needs to continue to work.

CONCLUSIONS OF LAW

1. Finding of Fact Nos. 2 through 5 constitute a violation of Virginia Code § 54.1-3007(6).
2. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Sullivan's health records or health services.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

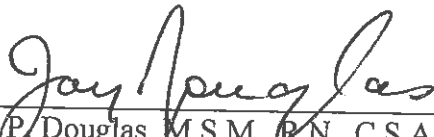
1. The license of Ashley N. Sullivan, R.N., to practice professional nursing is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. Should Ms. Sullivan seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Sullivan to demonstrate that she is safe and competent to return to the practice of professional nursing. Ms. Sullivan shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.
5. The suspension shall be STAYED upon proof of Ms. Sullivan's entry into a Contract with the HPMP.
6. Upon stay of the suspension, Ms. Sullivan shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.
7. Ms. Sullivan shall comply with all laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.
8. Upon receipt of evidence of Ms. Sullivan's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Sullivan's appearance before the Board and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.
9. This Order is applicable to Ms. Sullivan's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Sullivan 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 seeks to work.

Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

10. Failure to comply with the terms and conditions of the stay of suspension shall be reason for summarily rescinding the stay of suspension of the license of Ms. Sullivan, and the license shall be recorded as suspended. After any rescission of the stay of suspension, a formal administrative proceeding shall be instituted.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD



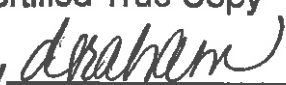
Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

ENTERED AND MAILED ON:

October 7th, 2016

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 Douglas, M.S.M., R.N., C.S.A.C., F.R.E., 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.

Certified True Copy
By 

Virginia Board Of Nursing