

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: FRANCES L. COX, R.N.
 License No.: 0001-119799**

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on October 22, 2015 in Henrico County, Virginia. Frances L. Cox, R.N. was present and was not represented by legal counsel. Allison Gregory, M.S., R.N., F.N.P.-B.C., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 27, 2016, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Cox was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Frances L. Cox, R.N. was issued License No. 0001-119799 to practice professional nursing in Virginia on August 29, 1990. The license is scheduled to expire on August 31, 2017. Her primary state of residence is Virginia.
2. By letter dated September 22, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Cox notifying her that an informal conference would be held on October 22, 2015. The Notice was sent by certified and first class mail to 10909 Peachtree Drive, Fredericksburg, Virginia 22407, the address of record on file with the Board of Nursing.
3. During the course of her employment with Mary Washington Healthcare, Fredericksburg, Virginia, on March 24, 2015, Ms. Cox was observed nodding off during report. Her charting was

repetitive and difficult to understand. She tested positive for oxycodone, methadone, and oxymorphone; she did not have a prescription for methadone or oxycodone.

4. Ms. Cox told her employer that she must have mistakenly ingested her husband's methadone and oxycodone. At the informal conference, she denied taking her husband's medication and asserted that the results could have been false positives because she is diabetic. Further, she stated that she appeared impaired only because she was in a lot of pain.

5. Ms. Cox's employment with Mary Washington Healthcare was terminated on March 31, 2015 as a result of this incident.

6. Ms. Cox suffers from multiple physical and mental conditions, including diabetes, hypertension, anxiety, depression, neuropathy, and degenerative disk disease which causes chronic pain. She is prescribed narcotic pain medications by her primary care physician, with whom she has a pain management contract. She also sees a psychiatrist monthly. She takes oxymorphone, Vicodin, Lisinopril, Lexapro, Celebrex, metformin, and glipizide.

7. Ms. Cox stated that she is not healthy enough to work and that she has applied for disability benefits.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 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.
2. Finding of Fact No. 6 constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. License No. 0001-119799 of Frances L. Cox, R.N. is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.


3. At such time as Ms. Cox shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Cox shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.

4. This suspension applies to any multistate privilege to practice professional nursing.

Pursuant to § 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 a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Cox may, not later than 5:00 p.m., on March 31, 2016, notify Jay P. Douglas, MSM, RN, CSAC, FRE, 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 BOARD:




Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

ENTERED: February 26TH, 2016

This Order shall become final on March 31, 2016 unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 

Virginia Board Of Nursing