

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: CRYSTAL DURRANCE, R.N.

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), a Special Conference Committee ("Committee") of the Virginia Board of Nursing ("Board") met on August 25, 2010, in Henrico County, Virginia, to inquire into evidence that Crystal Durrance, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia. Ms. Durrance was present and was not represented by counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Crystal Durrance, R.N., was issued License No. 0001-191052 to practice professional nursing in the Commonwealth of Virginia on July 2, 2004. Said license expires on June 30, 2011. Her primary state of residence is Virginia.
2. By letter dated July 30, 2010, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Durrance notifying her that an informal conference would be held on August 25, 2010. The Notice was sent by certified and first class mail to 136 Windy Way Lane, Wytheville, VA 24382, the address of record on file with the Board of Nursing. The certified mail receipt was signed and returned to the Board on August 5, 2010. The Notice sent by first class mail was not returned to the Board.
3. During the course of Ms. Durrance's employment with Carilion Clinic, New River Valley Medical Center, Christiansburg, Virginia, an investigation into her narcotics usage revealed the following:

a. An audit of Ms. Durrance's medication usage from June, 2009, to October, 2009, revealed that she was four to five standard deviations above the mean for dispensing Lortab (hydrocodone, Schedule III) and three standard deviations above the mean for dispensing Percocet (oxycodone, Schedule II).

b. A review of the records of five patients, for whom Ms. Durrance withdrew and administered narcotics between June, 2009, and October, 2009, revealed that she withdrew and documented administering the narcotics earlier than the dosing schedule.

c. On December 4, 2009, Ms. Durrance submitted a urine screen that came back positive for hydromorphone (Schedule II), for which she did not have a prescription.

d. Ms. Durrance resigned her employment with Carilion Clinic prior to the conclusion of the investigation.

4. Ms. Durrance acknowledged she has been diagnosed with attention deficit disorder and panic attacks, and has a history of treatment for depression and anxiety. She denied that she was chemically dependent. Ms. Durrance has not seen a counselor since June, 2008, but expressed the need to address her unresolved mental health issues. Ms. Durrance stated her willingness to have chemical dependency and mental health evaluations and urine screens, and to be monitored.

5. Ms. Durrance is currently employed at Southwestern Virginia Mental Health Institute, Marion, Virginia. She submitted to the Committee an employee probationary progress review that was positive signed on June 29, 2010.

CONCLUSIONS OF LAW

Findings of Fact Nos. 3(a) - 3(c) constitute a violation of § 54.1-3007(5) and (6) of the Code.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS that Crystal Durrance, R.N., shall be placed on PROBATION for a period of one year of actual nursing practice and subject to the following terms and conditions:

1. The period of probation shall begin on the date that this Order is entered and shall end at such time as Ms. Durrance has completed one year of active employment as a professional nurse. The license of Ms. Durrance shall be reinstated without restriction at the completion of the probationary period without a hearing unless there is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 2.2-4000 et seq. and § 54.1-2400(9) et seq. of the Code.
2. Ms. Durrance shall inform the Board in writing within ten days of the date she begins nursing practice, or changes employment, or if any interruption in nursing practice occurs. Additionally, Ms. Durrance shall provide the name and address of each employer to the Board.
3. Ms. Durrance shall inform her current nursing employer and each future nursing employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order. If Ms. Durrance is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.
4. Performance Evaluations shall be provided, at the direction of Ms. Durrance, by all nursing employers, as provided by the Compliance Division. The first report must be received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends.

5. Ms. Durrance shall have an evaluation by a mental health and chemical dependency specialist satisfactory to the Board and shall have a written report of the evaluation, including a diagnosis, a recommended course of therapy, and a prognosis sent to the Board within 45 days from the date this Order is entered. Ms. Durrance shall comply with any recommendations of the specialist. If therapy is recommended, written quarterly progress reports by the therapist shall be sent to the Board by the last day of the months of March, June, September and December until Ms. Durrance is discharged from therapy. Ms. Durrance shall direct the therapist to notify the Board if she withdraws from the treatment program before being officially discharged by the therapist.

6. Ms. Durrance shall be required to have one supervised, unannounced random drug screen a month, from a Board approved testing entity, which includes testing for alcohol and hydromorphone. Ms. Durrance shall ensure that the first set of results are received by the Board no later than 60 days from the date this Order is entered. Subsequent results must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends. The Board shall be notified immediately in writing of any positive results or if Ms. Durrance refuses to give a specimen for analysis as required by this Order. All positive results must be confirmed by a confirmatory drug test, the results of which are to be sent to the Board immediately.

7. Ms. Durrance shall provide all current and future treating practitioners with a complete copy of this Order and shall execute an Authorization for Disclosure of Information form providing for unrestricted communication between the Board and any court-appointed probation or parole officers and any consultants designated by the Board.

8. Ms. Durrance shall submit quarterly "Self-Reports" which include a current address, telephone number, and verification of all current employment. These reports shall also include any changes in employment status. The first report must be received in the Board office no later than 60 days from the date this

Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends.

9. Ms. Durrance shall return all copies of her license to practice as a professional nurse to the Board office within ten days of the date of entry of this Order along with a payment of a fee of \$5.00. Upon receipt, the Board shall issue a new license marked "Valid in Virginia Only; Probation with Terms" or a certificate marked "Probation with Terms."

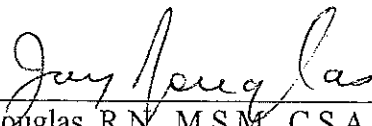
10. Ms. Durrance shall conduct herself as a professional nurse in compliance with the requirements of Title 54.1, Chapter 30 of the Code, and the Board of Nursing Regulations.

11. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Durrance and an administrative proceeding shall be held to decide whether her license shall be revoked.

12. This order shall be applicable to Ms. Durrance's multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Durrance shall not work outside 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 Ms. Durrance wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

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 COMMITTEE



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

ENTERED: September 14th, 2010

NOTICE OF RIGHT TO FORMAL HEARING

If you do not consent to the Committee's decision and desire a hearing before the Board or a panel thereof, you shall notify, in writing, the Executive Director of the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, within 33 days of the date of entry of this Order. This Order shall become final upon expiration of the 33-day period unless a request for a formal hearing is received within such time. Upon receiving a timely request for a hearing, this Order shall be vacated and the Board or a panel thereof shall proceed with a hearing as provided in § 2.2-4020 *et seq.* of the Code.

Certified True Copy

By 

Virginia Board of Nursing