

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HEALTH
HEALTH REGULATION AND LICENSING ADMINISTRATION
BOARD OF NURSING**

IN RE: :
 :
HEIDI BEYER :
 :
License No. RN1043678 :
 :
Respondent :

CONSENT ORDER

Jurisdiction

This matter comes before the District of Columbia Board of Nursing (“Board”) pursuant to D.C. Official Code §§ 3-1201.01 *et seq.* (2021 Repl.), otherwise known as the Health Occupations Revision Act (HORA). Section 204(b)(1) of the HORA authorizes the Board to regulate the practice of registered nursing. D.C. Official Code § 3-1202.04(b)(1).

Background

On February 8, 2022, MedStar Washington Hospital Center (WHC) submitted a report to the Board of Pharmacy and the Pharmaceutical Control Division regarding a potential theft/loss of controlled substances at the facility based on the action of a registered nurse. The report was referred to the Board of Nursing (Board), which initiated an investigation into the matter.

Based on the result of the investigation, the Department of Health (DC Health) issued a summary suspension notice against Respondent’s license on October 28, 2022. It was served by certified mail on the Respondent and became effective on November 2, 2022. The license currently remains suspended.

Findings of Fact

Based on the evidence in its record, the Board enters the following findings of fact:

- 1) During all times relevant, Respondent was and is licensed to practice registered nursing in the District.
- 2) On November 21, 2021, Respondent accepted and entered into a consent order (Consent Order) with the Virginia Board of Nursing, in which she agreed to continue to comply with the terms of her participation contract with the Virginia Health Practitioners' Monitoring Program (HPMP) as well as any subsequent contracts. The contract acknowledges Respondent's history of substance use and the resulting impairment to her practice of registered nursing.
- 3) The Consent Order found that Respondent had violated Virginia law by diverting controlled substances, during the course of her employment, for her own personal and unauthorized use; engaging in unprofessional conduct by failing to administer blood to a COVID patient as ordered by a physician, timely administer medications to patients on multiple occasions, and disclose her disciplinary history to prospective employers, as well as by failing to disclose factual information to a Virginia investigator, stating that she was not working as a nurse in 2020 when in fact she was working as a nurse through Medical Solutions from March through May 2020 and at Howard University in April 2020.
- 4) Respondent first entered into a contract with HPMP on June 27, 2018 after she had been investigated for possible diversion of controlled substances during her practice in Virginia. On June 13, 2018, Respondent admitted during her interview with a Virginia Department of Health investigator that she had diverted drugs during her employment at Sentara Northern Virginia Medical Center and Mary Washington Hospital.

- 5) On January 14, 2020, Respondent was dismissed from HPMP for noncompliance, including failure to comply with the screening program as well as treatment recommendations.
- 6) On April 8, 2021, Respondent re-enrolled in HPMP.
- 7) On June 29, 2022, Respondent completed an application to renew her registered nursing license in the District. On the application, she failed to disclose her history of substance use, HPMP participation, or the consent order with the Virginia Board of Nursing.
- 8) On or about October 25, 2021, Respondent was hired as a registered nurse at Washington Hospital Center (WHC). On or about January 25, 2022, Respondent's supervisor at WHC referred her to Occupational Health for possible diversion. She was required to provide urine specimens for testing but the results were invalid. WHC investigation concluded that Respondent should be terminated from the position. On February 7, 2022, Respondent resigned from WHC.
- 9) During an investigation conducted by DC Health, Respondent admitted to having diverted controlled substances for her own personal use during her employment in the District. She also stated that she should not work in a setting where she has access to narcotics.
- 10) On October 28, 2022, DC Health issued a notice to summarily suspend Respondent's District license. The notice was served and became effective on November 2, 2022. Respondent's District license is currently summarily suspended.

Analysis and Conclusions of Law

D.C. Official Code § 3-1205.14(a)(3) provides that the Board may take a disciplinary action against a licensee who has been disciplined by another licensing board for conduct that

would be ground for disciplinary action under the District law. Respondent accepted the Consent Order from the Virginia Board of Nursing, which restricts her ability to practice nursing and requires her to comply with the terms of her contract with HPMP. The Consent Order identified several grounds for disciplinary action under Virginia law, namely, diversion of narcotics for her personal and unauthorized use, failure to disclose disciplinary history to prospective employers, failure to administer drug or treatment timely or as ordered, and misrepresentation to the investigator regarding her employment status.

D.C. Official Code § 48-903.08(a) provides that no controlled substances may be dispensed without the written prescription of a practitioner. D.C. Official Code § 3-1205.14(a)(19) provides that a licensee may be subject to disciplinary action if they dispense or administer drugs when not authorized to do so. Respondent's drug diversions constitute violation of these laws.

D.C. Official Code § 3-1205.14(a)(42) provides that a licensee may be disciplined for failing to cooperate in an investigation or obstruct an investigation ordered by a board. Respondent's misrepresentation during the Virginia investigation is the type of conduct that violates this provision of the HORA.

It is important to note further that Respondent had violated the terms of her HPMP contracts in Virginia on multiple occasions. She was noted to have failed to provide testing samples or provided contaminated samples. After having been given another opportunity with the November 21, 2021 Consent Order, Respondent nevertheless engaged in the practice of nursing in the District without informing her employer or the Board of its existence. Her continued use of Fentanyl, as she herself admitted to DC Health investigator is clear evidence of her failure to comply.

nursing in the District without informing her employer or the Board of its existence. Her continued use of Fentanyl, as she herself admitted to DC Health investigator is clear evidence of her failure to comply.

Nevertheless, the Board and Respondent have resolved to dispose of the matter via a consent order in lieu of a formal action. Further, the parties have agreed that this consent order shall be deemed a disciplinary matter and a public record that shall be reported to the National Practitioner Data Bank as required by law.

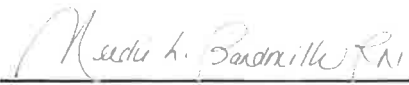
ORDER

Based upon the aforementioned it is hereby

ORDERED that the Registered Nursing License, **RN1043678**, of **HEIDI BEYER**, be and is hereby **REVOKED**,¹ subject to the following terms:

- 1) The revocation shall be stayed if, at the time of her acceptance of this Consent Order, Respondent has entered into a participation agreement with the Committee on Impaired Nurses (COIN) and shall continue to be stayed contingent upon her full participation and compliance with COIN requirements and participation agreement, including any extension of such agreement;
- 2) The stay shall be immediately lifted and the revocation immediately become effective upon the determination and communication to the Board by COIN that Respondent had violated COIN's requirements or any term of her participation agreement.

January 10, 2023
Date



Meedie Bardonille, RN
Chairperson
Board of Nursing

¹ Pursuant to D.C. Official Code § 3-1201.01(12A), "revocation" means termination of the right to practice a health profession and loss of licensure for five (5) years or more.

CONSENT OF RESPONDENT

My signature on the foregoing Consent Agreement signifies my acceptance of the terms and conditions of the Consent Agreement and my agreement to be bound by its provisions.

I acknowledge the validity of this Agreement, as if made after a hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural due process protections provided by the laws of the District of Columbia.

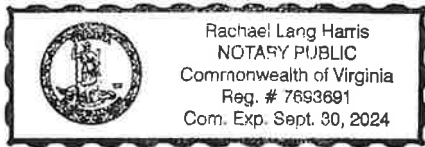
I also recognize that, by this Consent, I am waiving my right to appeal this Agreement. I am also waiving my right to appeal any adverse ruling of the Board of Nursing had this matter gone to a hearing.

I have had an opportunity to review this document. I choose willingly to sign this Agreement and I understand its meaning and effect.

22 Dec 2022
Date

Heidi Beyer
Heidi Beyer, RN1043678

Sworn to and subscribed before me this 22nd day of December day of 2022.



[Signature]
Notary Public

This Order is the Final Order of the Board in this disciplinary matter and a public record and, as mandated by federal law, 42 USC § 11101 and 45 CFR § 60, "the National Practitioner Data Bank – Health Integrity and Protection Data Bank," this disciplinary action shall be reported to the U.S. Department of Health and Human Services.