

DELAWARE BOARD OF NURSING

IN RE: MICHELLE A. VICKERS) Case No.: 11-30-14
)
)
LICENSE NO.: L1-0022784)
)

**ORDER ACCEPTING COMPLAINT AND GRANTING
EMERGENCY TEMPORARY SUSPENSION**

AND NOW, this 28 day of April, 2014,

WHEREAS, the Delaware Department of Justice through the prosecuting Deputy Attorney General has filed with the Board of Nursing a written Complaint and Motion for Temporary Suspension; and,

WHEREAS, Respondent is a licensed registered nurse in the state of Delaware and at all relevant times was working in Maryland under her multistate privilege to practice in Maryland; and pursuant to 24 Del. C. § 1901A, Article V(d), for purposes of imposing adverse action, the licensing board of the home state shall give the same priority and effect to reported conduct received from a remote state as it would if such conduct had occurred within the home state. In so doing, it shall apply its own state laws to determine appropriate action; and

WHEREAS, said Complaint and Motion allege, among other things, that the Respondent has engaged in activities which present a clear and immediate danger to the public health by engaging in repeated diversion of narcotics from her employer for her own personal use; admitting to a dependence on narcotics; continuing to practice nursing unmonitored while addicted to such medications; being discharged from a treatment program for noncompliance and poor prognosis; and being suspended from her multistate practice privilege in Maryland; and

WHEREAS, the allegations if substantiated at a formal hearing constitute unprofessional conduct under numerous provisions of the Nursing Practice Act, including but not limited to,

24 Del. C. § 1922(a)(3), (4), (6), (7) and (8) and Board Regulations 10.4.1, 10.4.2.4, 10.4.2.14, 10.4.2.15, 10.4.2.16, 10.4.2.17 and 10.2.4.28; and

WHEREAS, Respondent and/or her legal counsel was given at least 24 hours' written or oral notice so that she or her counsel could file a written response in opposition to entry of an Order of Temporary Suspension together with a copy of the Complaint in compliance with 24 Del. C. § 1923(a); and Respondent did not file an Answer to the State's Complaint; and

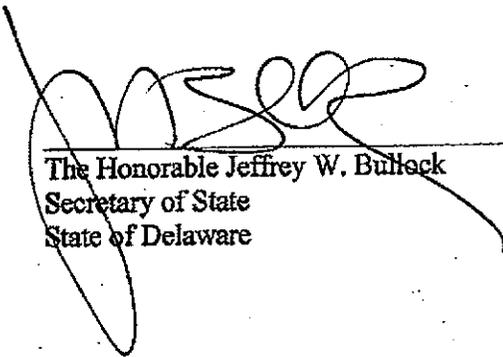
WHEREAS, after reviewing the allegations in the State's Complaint *in toto*, said Complaint highlights the serious and habitual nature of Respondent's offenses. Further, the undersigned have an obligation to ensure the public health is protected. After due consideration of the Complaint and the Motion, the Secretary of State or his designee with the concurrence of the Board President or his designee have therefore determined that the available information is sufficient to support the entry of an Order temporarily suspending Respondent's license to practice nursing in the State of Delaware in that there is a reasonable belief that Respondent's continued practice presents a clear and immediate danger to the public health;

IT IS SO ORDERED this 28 day of April, 2014:

1. That the Motion for Emergency Suspension of Michelle A. Vickers' license to practice nursing (License No.: L1-0022784) is granted;
2. That Michelle A. Vickers shall be served with a copy of this Order as provided in 24 Del. C. § 1923(b) and notice shall be provided to all other agencies listed therein;
3. That Complaint No. 11-30-14 is accepted by the Board as the Formal Complaint and shall be assigned to a hearing officer to be scheduled in accordance with 24 Del. C. § 1923(d) and 29 Del. C. § 8735(v)(1)d to hear evidence related to the Formal Complaint; and
4. That pursuant to 24 Del. C. § 1923(c) Ms. Vickers may request an expedited hearing

provided that the Board receives the request within 5 calendar days of the date Ms. Vickers is notified of this Order.


Robert Contino, R.N.
President
Board of Nursing


The Honorable Jeffrey W. Bullock
Secretary of State
State of Delaware