

Certified True Copy

By M. B. Baker
Virginia Board of Nursing



RECEIVED

DEC 20 2017

COMMONWEALTH of VIRGINIA VA BD OF NURSING

David E. Brown, D.C.
Director

Department of Health Professions

Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367-4400
FAX (804) 527-4475

December 20, 2017

DUPLICATE COPY
VIA FIRST CLASS MAIL

DATE 12/20/17

Brittany Marie Wibly, R.N.
85 Emmas Way
Hedgesville, WV 25427

RE: License Number: 0001-256784
Case Number: 184267

Dear Ms. Wibly:

Pursuant to Virginia Code § 54.1-2409, you are hereby given notice that your right to renew your license to practice professional nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered December 19, 2017. You are hereby advised that you may not practice professional nursing or hold yourself out as a licensed professional nurse unless and until the Board of Nursing has notified you in writing that your license has been reinstated. Please return your license to Jay Douglas, Executive Director of the Virginia Board of Nursing ("Board"), at the above address, immediately upon receipt of this letter.

You may apply to the Board for reinstatement of your license, and you shall be entitled to a formal administrative hearing not later than the next regular meeting of the Board after the expiration of 60 days from the Board's receipt of your reinstatement application. The reinstatement of your license shall require the affirmative vote of three-fourths of the members of the Board present at the hearing. The reinstatement application can be found at www.dhp.virginia.gov/Nursing.

If you have any questions about this matter, you can contact me at (804) 367-4474 or anne.joseph@dhp.virginia.gov.

Sincerely,

Anne Joseph, Deputy Director
Administrative Proceedings Division

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

BEFORE THE VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS

IN RE: **BRITTANY MARIE WIBLY, R.N.**
License Number: 0001-256784
Case Number: 184267

ORDER OF MANDATORY SUSPENSION

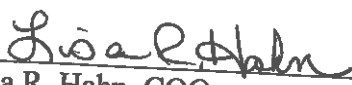
In accordance with Virginia Code § 54.1-2409, I, Lisa R. Hahn, Chief Operating Officer, on behalf of David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that the North Carolina Board of Nursing suspended the license of Brittany Marie Wibly, R.N., to practice as a registered nurse in the State of North Carolina. A certified copy of the Published Consent Order of the North Carolina Board of Nursing is attached hereto as Commonwealth's Exhibit 1.

WHEREUPON, by the authority vested in the Director of the Department of Health Professions pursuant to Virginia Code § 54.1-2409, it is hereby ORDERED that the right of Brittany Marie Wibly, R.N., to renew her license to practice professional nursing in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the license of Brittany Marie Wibly, R.N., will be recorded as suspended and no longer current and valid. Should Ms. Wibly seek reinstatement of her license pursuant to Virginia Code § 54.1-2409, she shall be responsible for any fees that may be required for the reinstatement of the license prior to issuance of the license to resume practice.

This Order shall be applicable to Ms. Wibly's multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia.

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 or copying on request.



Lisa R. Hahn, COO
Virginia Department of Health Professions

ENTERED:

December 19, 2017

CERTIFICATION OF DUPLICATE RECORDS

I, Lisa R. Hahn, Chief Operating Officer, on behalf of David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Published Consent Order entered November 13, 2017, regarding Brittany Marie Wibly, R.N., is a true copy of the records received from the North Carolina Board of Nursing.

Lisa R. Hahn
Lisa R. Hahn, COO

December 19, 2017
Date

BEFORE THE BOARD OF NURSING
OF THE STATE OF NORTH CAROLINA

In the matter of:

Brittany Wibly, RN

License Number 294057

)
)
)
)
)



PUBLISHED

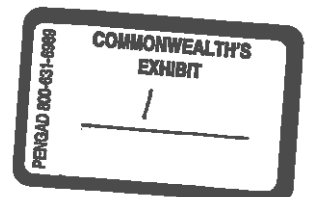
I certify that this is a true and accurate
copy of its original and has been kept in
the proper custody of business records office
of the North Carolina Board of Nursing

[Signature]
Executive Director of the Board

This matter is before the North Carolina Board of Nursing ("Board") on information regarding Brittany Wibly, RN ("Licensee"). Licensee knowingly and voluntarily waives the right to a formal hearing before the Board and any judicial review of such hearing in the above-referenced matter. Both parties stipulate and agree to the findings of fact and conclusions of law recited herein and to the order imposed. By her consent, Licensee also stipulates that she knowingly and voluntarily waives the right to appeal this ORDER or challenge in any way the sufficiency of the findings of this ORDER. Licensee admits and the Board finds that:

FINDINGS OF FACT

1. The North Carolina Board of Nursing is a body duly organized under the laws of North Carolina and is the proper body for this proceeding under the authority granted it in Article 9A, Chapter 90 of the General Statutes of North Carolina and the rules and regulations promulgated hereunder.
2. Licensee is the holder of North Carolina Multistate Registered Nurse License Number 294057, which expires on September 30, 2018.
3. On July 31, 2017, the Board received a complaint regarding Licensee's nursing practice and began its investigation.
4. On July 24, 2017, while employed with Onslow Memorial Hospital in Jacksonville, North Carolina, the facility identified Licensee had removed hydromorphone from the Pyxis and failed to document administration.
5. On July 25, 2017 during an interview with hospital staff, Licensee acknowledged diverting hydromorphone and Ativan. Licensee also wrote a statement to facility staff and acknowledged diversion of controlled substances.
6. Licensee was taken for a urine drug screen which returned positive for hydromorphone and morphine on July 25, 2017.
7. On August 14, 2017 the Licensee acknowledged to Board staff that she diverted hydromorphone and Ativan for personal use. Licensee also acknowledged the positive drug screen from July 25, 2017.
8. During this interview, Licensee requested a voluntary suspension of her North Carolina nursing license.



BEFORE THE BOARD OF NURSING
OF THE STATE OF NORTH CAROLINA

In the matter of:

Brittany Wibly, RN

License Number 294057

)
)
)
)
)

PUBLISHED CONSENT ORDER

CONCLUSIONS OF LAW

1. This matter is properly before the Board, and the Board has jurisdiction over Licensee and the subject matter of this case.
2. Licensee's conduct, as set out in the Findings of Fact above, constitutes grounds for discipline pursuant to N.C. Gen. Stat. §90-171.37 as follows:

- (4) engages in conduct that endangers the public health;
- (7) has violated any provision of this Article;
- (8) has willfully violated any rules enacted by the Board;

and Rule 21 N.C. Admin. Code 36 .0217(a)

- (2) testing positive on a drug screen for a non-prescribed drug or illicit substance;
- (3) illegally obtaining, possessing, or distributing drugs or alcohol for personal or other use, or other violations of the North Carolina Controlled Substances Act, G N.C. Gen. Stat. §90-86 et seq.; and
- (24) misappropriating, in connection with the practice of nursing, anything of value or benefit, including but not limited to, any property, real or personal of the client, employer, or any other person or entity, or failing to take precautions to prevent such misappropriation. Failure to take precautions to prevent misappropriations includes failing to secure anything of value or benefit, such as medication or property, of the client, employer, or any other person or entity.

3. Grounds exist pursuant to N.C. Gen. Stat. §90-171.37 for the Board to revoke or suspend a license to practice nursing and invoke other such disciplinary measures such as censure or probative terms against a licensee as it deems fit and proper.

ORDER

1. Based on the Findings of Fact and Conclusions of Law, without further notice of proceedings, the Board enters into the following ORDER with Licensee.
2. Licensee's license shall be suspended for a minimum of twelve (12) months.
3. The Board will not recommend to the Division of Health Services Regulation that Licensee be eligible to request listing as a Nurse Aide I or Medication Aide.
4. Licensee may not be listed on the Nurse Aide II Registry.

BEFORE THE BOARD OF NURSING
OF THE STATE OF NORTH CAROLINA

In the matter of:

Brittany Wibly, RN

License Number 294057

)
)
)
)
)

PUBLISHED CONSENT ORDER

5. At such time as Licensee is permitted to petition for reinstatement of the license, Licensee may appear before the Licensure Review Panel ("LRP") and shall comply with all decisions of the LRP.

6. This ORDER is a public record, as required by N.C. Gen. Stat. §132 and will be placed in Licensee's file. All disciplinary actions taken by the Board will be reported to the appropriate entities as outlined in Board policy and as required by state and/or federal guidelines. Those entities include, but may not be limited to, NURSYS, National Practitioner Data Bank (NPDB), the Office of the Inspector General (OIG) and any other jurisdiction in which Licensee is or has been licensed.

7. This ORDER shall take effect immediately upon proper execution by both Licensee and the Board.

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

BEFORE THE BOARD OF NURSING
OF THE STATE OF NORTH CAROLINA

In the matter of:

Brittany Wilby, RN

License Number 294057

)
)
)
)
)

PUBLISHED CONSENT ORDER

Consented to this the 9 day of November, 2017.

Brittany Wilby
Brittany Wilby, Licensee's Signature

State of West Virginia

County of Berkeley

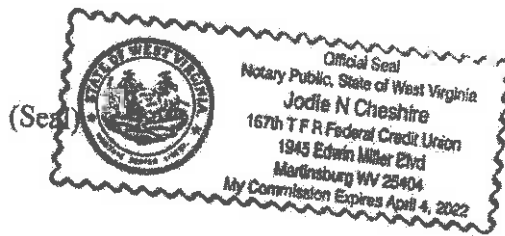
I, Jodie N. Cheshire, a Notary Public for the above-named County and State,

do hereby certify that Brittany M. Wilby personally appeared before me
this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal

This the 9th day of November, 2017.

Jodie N. Cheshire
Notary Public



My commission expires: April 4th, 2022

BEFORE THE BOARD OF NURSING
OF THE STATE OF NORTH CAROLINA

In the matter of:

Brittany Wibly, RN

License Number 294057

)
)
)
)
)

PUBLISHED CONSENT ORDER

By order of the North Carolina Board of Nursing this the 13th day of November, 2017.



Julia L. George, RN, MSN, FRE
Chief Executive Officer