

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: LYNN M. HOLMES, C.N.A., R.N. APPLICANT

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Lynn M. Holmes, C.N.A., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Holmes' application for licensure by examination to practice professional nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Lynn M. Holmes, C.N.A., was issued Certificate No. 1401-144599 to practice as a nurse aide by the Virginia Board of Nursing on May 17, 2011. Said certificate is set to expire on May 31, 2013.
2. Ms. Holmes submitted an application for licensure by examination to practice professional nursing in Virginia which was received by the Board on April 10, 2012. Ms. Holmes' primary state of residence is Virginia.
3. From April 8, 2008, until May 8, 2008, Ms. Holmes received treatment at Pathways Treatment Center, Lynchburg, Virginia, for opiate, cannabis, and benzodiazepine dependence. Ms. Holmes completed an aftercare program, and has had no evidence of a relapse in the four years following treatment.
4. Ms. Holmes states that her date of sobriety is March 28, 2008. Ms. Holmes entered the Employee Assistance Program through her employer Centra Health, Lynchburg, Virginia. Ms. Holmes stated that she has had random urine drug screens since July 2011, and all have been negative.
5. Ms. Holmes provided a copy of a urine drug screen taken, at her request, in her physician's office on April 13, 2012. The results of the screen were negative.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(6) of the Code of Virginia (1950), as amended (“Code”).
2. Otherwise, Ms. Holmes meets the qualifications of § 54.1-3017 of the Code.
3. Based on the above Findings of Fact, Ms. Holmes is a candidate for the Health Practitioners’ Monitoring Program (“HPMP”).

CONSENT

Lynn M. Holmes, C.N.A., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her application for licensure by examination to practice professional nursing in Virginia.

ORDER

WHEREFORE, it is hereby ORDERED that the application of Lynn M. Holmes, C.N.A., for licensure by examination to practice professional nursing is APPROVED. Upon successful completion of

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VA BOARD OF NURSING

the NCLEX-RN examination, Ms. Holmes shall be issued license to practice as a professional nurse contingent upon the following terms and conditions:

1. Ms. Holmes shall enter into the HPMP, pursuant to § 54.1-2515 *et seq.* of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPMP, and shall have proof of entry into a Contract with the HPMP provided to the Board.
2. Ms. Holmes shall comply with all terms and conditions for the period specified by the HPMP.
3. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Holmes, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Holmes shall be noticed to appear before the Board at such time as the Board is notified that:
 - a. Ms. Holmes is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
 - b. There is a pending investigation or unresolved allegation against Ms. Holmes involving a violation of law or regulation or any term or condition of this Order; or
 - c. Ms. Holmes has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Holmes's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Holmes's appearance before the Board and conduct an administrative review of this matter.
4. This Order is applicable to Ms. Holmes's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Holmes shall not work outside of 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. Holmes wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

5. Ms. Holmes shall maintain a course of conduct in her capacity as a professional nursing commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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 upon request.

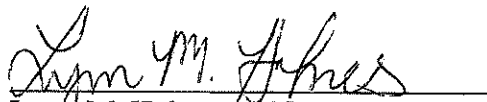
FOR THE BOARD

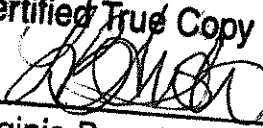

Jay P. Douglas, R.N., M.S.M., C.S.A.C.

Executive Director, Virginia Board of Nursing

ENTERED: August 10, 2012

SEEN AND AGREED TO:


Lynn M. Holmes, C.N.A.

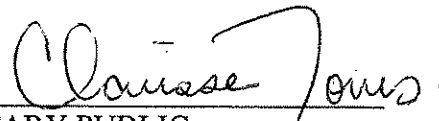
Certified True Copy
By 
Virginia Board of Nursing

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Lynchburg, TO WIT:

Subscribed and sworn to before me, Lynn M. Holmes, a Notary Public, this 8 day of August, 2012.

My commission expires May 31, 2005

Registration Number 282129


NOTARY PUBLIC

