

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE: KRISTIN TUCKER THARPE, R.N.**  
**License Number: 0001-197232**  
**Case Number: 176302**

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**CONSENT ORDER**

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**JURISDICTION AND PROCEDURAL HISTORY**

The Virginia Board of Nursing (“Board”) and Kristin Tucker Tharpe, R.N., as evidenced by their signatures hereto, in lieu of proceeding to a formal administrative proceeding, enter into the following Consent Order affecting Ms. Tharpe’s license to practice professional nursing in the Commonwealth of Virginia.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. Kristin Tucker Tharpe, R.N., was issued License Number 0001-197232 to practice professional nursing on July 20, 2005, which is scheduled to expire on November 30, 2017. Her primary state of residence is Virginia.

2. Ms. Tharpe violated Virginia Code § 54.1-3007(2), (5), and (8) and 18 VAC 90-20-300(A)(2)(c) and (f) of the Regulations Governing the Practice of Nursing (“Regulations”) (currently found at 18 VAC 90-19-230(A)(2)(c) and (f), effective February 24, 2017) in that she diverted narcotic medications from home health patients, as evidenced by the following:

a. During the course of her employment with Centra Southside Community Hospital Home Health, Farmville, Virginia (“Centra”):

i. In May 2015, she went to the home of Patient A, who was not a current patient, and stole Dilaudid tablets (hydromorphone, C-II) from Patient A’s supply. Further, she replaced the Dilaudid with Claritin tablets (loratadine).

ii. On August 20, 2016, she visited Patient B's home when she was not scheduled to be there and stole Percocet (oxycodone, C-II) from Patient B's supply.

b. During the course of her employment with Home Recovery-Home Aid, Farmville, Virginia, on September 26, 2016, she visited Patient C's home when she was not scheduled to be there and stole Dilaudid tablets from Patient C's supply. Further, she replaced the Dilaudid with Claritin tablets.

3. Ms. Tharpe violated Virginia Code § 54.1-3007(2) and (5) and 18 VAC 90-20-300(A)(2)(e) of the Regulations (currently found at 18 VAC 90-19-230(A)(2)(e), effective February 24, 2017) in that during the course of her employment with Centra, she failed to make patient visits and falsified patient records as follows:

a. During the month of August 2016, she visited Patient D on one day, but falsely documented visiting Patient D on three additional occasions.

b. On August 18, 2016, she failed to visit Patient E, but falsely documented visiting the patient.

4. Ms. Tharpe violated Virginia Code § 54.1-3007(2) and (5) and 18 VAC 90-20-300(A)(2)(l) (currently found at 18 VAC 90-19-230(A)(2)(l), effective February 24, 2017) in that on June 22, 2015, and July 16, 2016, she visited or attempted to visit patients' homes when the patients were not assigned to her and for no legitimate purpose.

5. Ms. Tharpe violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice due to an admitted addiction to opioids, for which she is receiving Suboxone (buprenorphine) treatment.

6. Between July 9, 2015 and November 16, 2016, during the course of her opioid dependence treatment with Central Virginia Family Physicians, Blue Ridge Immediate Care,

Lynchburg, Virginia, Ms. Tharpe submitted to 17 drug screens which were all negative with the exception of her prescribed buprenorphine

7. Ms. Tharpe signed a Participation Contract with the Virginia Health Practitioners' Monitoring Program ("HPMP") on June 29, 2017.

8. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Tharpe's health records or health services.

### CONSENT

Kristin Tucker Tharpe, R.N., by affixing her signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document and am represented by Margaret F. Hardy, Esquire;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to a formal administrative hearing before the Board; and the right to representation by counsel;
4. I waive my right to a formal hearing;
5. I neither admit nor deny the Findings of Fact and Conclusions of Law contained herein but waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my licensure to practice professional nursing in the Commonwealth of Virginia.

## ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

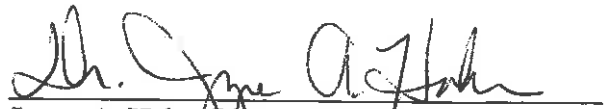
1. The license of Kristin Tucker Tharpe, R.N., to practice professional nursing is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. The suspension is STAYED and shall remain stayed contingent upon Ms. Tharpe's continued compliance with all terms and conditions of the Virginia Health Practitioners' Monitoring Program ("HPMP") for the period specified by the HPMP.
5. Upon receipt of evidence of Ms. Tharpe's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Tharpe's appearance before the Board and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.
6. This Order is applicable to Ms. Tharpe's multistate licensure privileges, if any, to ~~practice professional nursing. For the duration of this Order, Ms. Tharpe 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 she seeks to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.
38. Failure to comply with the terms and conditions of the stay of suspension shall result in the immediate rescission of the stay of suspension of the license of Kristin Tucker Tharpe, R.N., and the license shall be recorded as suspended. After any rescission of the stay of suspension, Ms. Tharpe

may, within 33 days of the effective date of the rescission, request a formal administrative hearing before the Board.

9. Kristin Tucker Tharpe, R.N., shall comply with all laws and regulations governing the practice of 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 and copying upon request.

FOR THE BOARD



Joyce A. Hahn, PhD, RN, NEA-BC, FNAP  
President  
Virginia Board of Nursing

ENTERED: 7/18/17

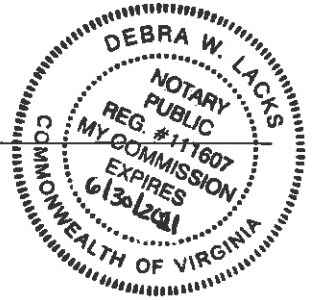
SEEN AND AGREED TO:

Kristin Tucker Tharpe RN  
Kristin Tucker Tharpe, R.N.

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

Subscribed and sworn to me, a notary public in and for the Commonwealth of Virginia at large, on this  
10<sup>th</sup> day of July, 2017.

Debra W. Lacks  
Notary Public



My commission expires: 6/30/2021

Registration No.: 111607

Certified True Copy  
By dgahem  
Virginia Board Of Nursing