

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: JENNIFER GRAY VUKMER, R.N.  
License Number: 0001-162832  
Case Number: 176527

RATIFICATION AND ORDER


On May 17, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Jennifer Gray Vukmer, R.N., was not present nor was she represented by legal counsel.

In consideration whereof, the Board of Nursing ACCEPTS the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and ADOPTS the Recommended Order in its entirety.

Pursuant to Virginia Code § 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.

Pursuant to Virginia Code § 54.1-2400(10), Ms. Vukmer may, not later than 5:00 p.m., on June 28, 2017, notify Jay Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD

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

ENTERED AND MAILED ON:

May 26, 2017

This Order shall become final on June 28, 2017, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By   
Virginia Board Of Nursing

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:           JENNIFER GRAY VUKMER, R.N.**  
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**REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE**

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**Jurisdiction and Procedural History**

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Jane Elliott, R.N., Ph.D., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on February 16, 2017 in Henrico County, Virginia, to inquire into evidence that Jennifer Gray Vukmer, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Ms. Vukmer appeared at this proceeding and was represented by Christopher Malone, Esquire.

Upon consideration of the evidence, the Agency Subordinate makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

**Notice**

By letter dated January 23, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Vukmer notifying her that an informal conference would be held on February 16, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

**Recommended Findings of Fact and Conclusions of Law**

1. Jennifer Gray Vukmer, R.N., was issued License Number 0001-162832 to practice professional nursing on February 17, 1999, which is scheduled to expire on December 31, 2017. At all times relevant to the findings herein, said license was in full force and effect. Her primary state of residence is Virginia.

2. Jennifer Gray Vukmer, R.N., violated Virginia Code § 54.1-3007(5) and (6) in that during the course of her employment with Westminster Canterbury, Richmond, Virginia, during her night shift from September 29, 2015 to September 30, 2015 (“September 29/30 2015 night shift”):

a. Staff observed that Ms. Vukmer’s speech was slow and slurred, she was confused, fidgety, had slow body movements, was not making sense, and was sweating.

b. At the informal conference, Ms. Vukmer acknowledged that she was not safe to practice and was impaired during her shift. She said that prior to her shift she had worn two scopolamine patches at the same time, contrary to how it was prescribed by her treating neurologist in North Carolina, to try and treat the symptoms of vertigo. She had also taken a dose each of oxycodone (C-II) and MS Contin (morphine, C-II) earlier in the day which had been prescribed to her for a migraine headache.

c. Ms. Vukmer made several narcotic medication errors, including failing to sign out and administer scheduled medications, and signing out more than was scheduled to be given. Eighteen sign out logs accounting for ten patients contained numerous mark-outs, errors, and count discrepancies. There was no documentation to support the administration of any ordered medications during her shift or that any PRN medications removed were charted. One of Ms. Vukmer’s patients reported that she did not recall receiving her pain medication during the September 29/30, 2015 night shift.

3. During the informal conference, Ms. Vukmer said she had previously seen a pain management physician, but it did not help. She continues to take oxycodone and MS Contin two to three times per week for migraines. She said her primary care physician is trying to decrease the amount prescribed.

4. Ms. Vukmer described the events of the September 29/30 2015 night shift as an “eye opening” experience. She reiterated that she was unsafe to practice during her shift. She repeated that she had worn two scopolamine patches during her shift and that the prescription only called for one. Ms. Vukmer explained that she took the scopolamine patches because she suffers from extreme vertigo and migraine headaches with vomiting.

5. Ms. Vukmer said she is currently taking the following medications: Reglan, scopolamine, MS. Contin, oxycodone, and Nuvigil. Ms. Vukmer explained that she had no prior side effects to the medications she takes.

6. Ms. Vukmer’s employment with Westminster Canterbury was terminated on October 3, 2015, after she did not provide a urine sample following the September 29/30 night shift. She said that she is currently unemployed, but believes she is safe to practice.

#### **Recommended Order**

Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Board issue an Order as follows:

1. Jennifer Gray Vukmer, R.N., is REPRIMANDED.
2. Jennifer Gray Vukmer, R.N., shall have an evaluation by a chemical dependency specialist satisfactory to the Board and shall have a written report of the evaluation, including a diagnosis, a recommended course of therapy, and a prognosis sent to the Board within 120 days from the date this Order is entered.
3. Jennifer Gray Vukmer, R.N., shall have a physical evaluation by a neurologist satisfactory to the Board and shall have a written report of the evaluation, including a diagnosis, a recommended course of therapy, and a prognosis sent to the Board within 120 days from the date this Order is entered.

4. Ms. Vukmer shall provide proof to the Board that she has provided the specialists with a complete copy of this Order. Ms. Vukmer shall execute all releases necessary for unrestricted communication between the specialists, and the Board and shall bear all costs associated with the evaluations. Upon receipt of the required reports, the Board shall conduct a review of this matter and may either schedule an additional administrative proceeding to consider the evaluations and make a final disposition of the matter or close the matter without a further proceeding.

5. Jennifer Gray Vukmer, R.N., shall sign all required medical releases and authorization forms within 120 days of the date of entry of this Order allowing for unrestricted communication between and among the Board and her current and future treating healthcare providers.

6. Jennifer Gray Vukmer, R.N., shall not practice professional nursing until the Board has considered and acted upon the results of the evaluation ordered in Terms 2 and 3.

7. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of professional nursing shall constitute grounds for further disciplinary action.

Reviewed and approved on April 13, 2017  
By Jane Elliott, R.N., Ph.D.  
Agency Subordinate

Certified True Copy

By   
Virginia Board Of Nursing