

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: RAQUEL LEE BRADY, L.P.N.
REINSTATEMENT APPLICANT
License Number: 0002-076867
Case Number: 177482

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), a Special Conference Committee of the Virginia Board of Nursing (“Board”) held an informal conference on April 12, 2017, in Henrico County, Virginia, to receive and act upon Raquel Lee Brady’s application for reinstatement of her license to practice practical nursing in the Commonwealth of Virginia.

Raquel Lee Brady, L.P.N. did not appear at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated March 16, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Brady notifying her that an informal conference would be held on April 12, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. According to the USPS website, the Notice sent by certified mail was not retrieved from the post office. The Notice sent by first class mail was not returned to the Board office. Accordingly, the Committee Chair concluded that adequate notice was provided to Ms. Brady and the informal conference proceeded in her absence.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Raquel Lee Brady, L.P.N., was issued License Number 0002-076867 to practice practical nursing on October 2, 2007, which was indefinitely suspended by the Board on May 27, 2010. Her primary state of residence is Virginia.
2. By Order of the Board entered May 27, 2010, Ms. Brady's license to practice practical nursing in the Commonwealth of Virginia was indefinitely suspended, with the suspension stayed contingent upon Ms. Brady's compliance with the terms and conditions as set by the Virginia Health Practitioners Monitoring Program ("HPMP") based on findings that she was noncompliant in her Participation Contract with the HPMP.
3. As the applicant, Ms. Brady had the burden to demonstrate to the Board that she is safe and competent to practice as a practical nurse and she did not appear.
4. Ms. Brady violated Virginia Code § 54.1-3007(4), as evidenced by the following:
 - a. On December 12, 2014, she was convicted of felony possession of cocaine in the Circuit Court of Newport News, Virginia.
 - b. On January 10, 2014, she was convicted of felony possession of cocaine in the Circuit Court of Hampton, Virginia.
 - c. On July 12, 2012, she was convicted of misdemeanor shoplifting, a crime of moral turpitude, in the General District Court of Hampton, Virginia.
7. Ms. Brady violated Virginia Code § 54.1-3007(6), in that she is unsafe to practice practical nursing due to substance abuse and mental illness, as evidenced by the following:
 - a. By her own admission, she has a history of drug use including cocaine, crack cocaine, benzodiazepines, and intravenous heroin use.

b. Beginning on February 24, 2016, Ms. Brady has participated in the Hampton Drug Treatment Court Program where she is currently in phase two of a four phase program. In an interview with an investigator with the Department of Health Professions conducted on February 27, 2017, Ms. Brady’s therapist stated that Ms. Brady has “good intentions” but has not done as well in the program as she should have and that her outcome is not always up to par.

c. Ms. Brady has received court-ordered substance abuse treatment at the Hampton-Newport News Community Services Board beginning on February 10, 2015.

d. From July 13, 2015 through July 27, 2015, Ms. Brady received heroin detox residential treatment at Rubicon, Inc., Richmond, Virginia, where she was diagnosed with depression and opioid dependence.

e. From August 11, 2014 through December 1, 2014, Ms. Brady received inpatient substance abuse treatment at Guest House, Alexandria, Virginia. Ms. Brady was terminated from the program twice: once for relapse and again for policy violations.

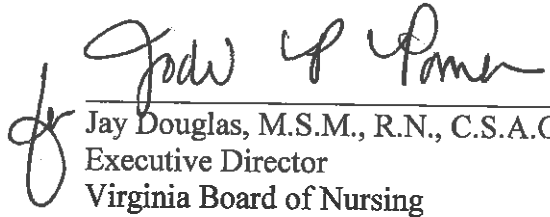
f. From November 24, 2008 through December 18, 2008, and May 21, 2010 through May 26, 2010, Ms. Brady received substance abuse treatment at William J. Farley Center at Williamsburg Place, Williamsburg, Virginia, where she was diagnosed with opiate dependence and withdrawal, benzodiazepine dependence and withdrawal, and cocaine dependence.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS that the application of Raquel Lee Brady, L.P.N., for reinstatement of her license to practice practical nursing is DENIED.

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



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

ENTERED AND MAILED: May 3, 2017

NOTICE OF RIGHT TO APPEAL

Pursuant to Virginia Code § 54.1-2400(10), Ms. Brady may, not later than 5:00 p.m., on June 5, 2017, notify Jay Douglas, M.S.M., R.N., C.S.A.C., F.R.E., 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. This Order shall become final on June 5, 2017, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 
Virginia Board of Nursing