

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: DEBORAH F. BARRACK, R.N. REINSTATEMENT APPLICANT

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on June 7, 2010, in Henrico County, Virginia, to receive and act upon Deborah F. Barrack’s application for reinstatement of her license to practice professional nursing in Virginia, which was suspended by an Order of the Board on July 30, 2009. Ms. Barrack was present and was not represented by counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Deborah F. Barrack was issued License No. 0001-172807 to practice professional nursing in the Commonwealth of Virginia on March 22, 2001. Said license was suspended by an Order of the Board entered on July 30, 2009. This action was a result of Ms. Barrack’s noncompliance with a previous Board Order entered January 30, 2001. Due to Ms. Barrack’s extensive substance abuse history, she was ordered to enter into and remain compliant with the terms and conditions of the Health Practitioners’ Monitoring Program (“HPMP”) [*formerly Health Practitioners’ Intervention Program*]. On August 3, 2007, Ms. Barrack was dismissed from the HPMP.

2. Ms. Barrack submitted an application for reinstatement of her license to practice professional nursing which was received by the Board on January 8, 2010.

3. Ms. Barrack admitted to the Committee that she has been a “chronic habitual relapser,” but she now faces her addictions one day at a time.

4. Ms. Barrack stated that her date of sobriety is May 1, 2009.

5. Ms. Barrack stated that she attends a professional aftercare group once a week at the Family Counseling Center of Recovery, Richmond, Virginia. Ms. Barrack stated that she also attends a Caduceus meeting twice a month and four or more Alcoholics Anonymous (“AA”) and/or Narcotics Anonymous meetings a week.

6. Ms. Barrack entered into a Recovery Monitoring contract with the Health Practitioners’ Monitoring Program (“HPMP”) on March 22, 2010.

7. Ms. Barrack stated that she has an AA sponsor and attends two meetings with her sponsor a week and speaks with her sponsor four or five times a week.

8. Ms. Barrack stated that she has completed five continuing education courses on-line.

CONCLUSIONS OF LAW

1. Based on the above Findings of Fact, the Committee concludes that Ms. Barrack is properly enrolled in the HPMP.

2. The Committee concludes that Ms. Barrack otherwise meets the requirements and demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner.

ORDER

On the basis of the foregoing, the Virginia Board of Nursing hereby ORDERS that the application of Deborah F. Barrack, R.N., for reinstatement of her license to practice professional nursing in the Commonwealth be APPROVED contingent upon the following:

1. Ms. Barrack shall continue to comply with all terms and conditions of the Recovery Monitoring Contract (“Contract”) with the HPMP for the period specified in the Contract.

2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Barrack, and an administrative proceeding shall be held to decide whether her license should

be revoked. Ms. Barrack shall be noticed to appear before the Board at such time as the Board is notified that:

a. Ms. Barrack 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. Barrack involving a violation of law or regulation or any term or condition of this Order; or

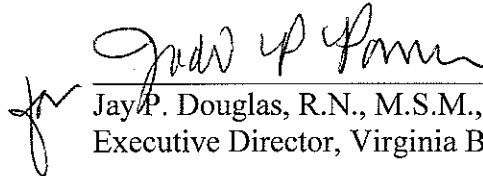
c. Ms. Barrack has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Barrack's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Barrack's appearance before the Board and conduct an administrative review of this matter.

3. This order shall be applicable to Ms. Barrack's multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Barrack shall not work outside 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. Barrack wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

4. Ms. Barrack shall maintain a course of conduct in her capacity as a professional nurse 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 on request.

FOR THE COMMITTEE



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

ENTERED: June 25, 2010

NOTICE OF RIGHT TO FORMAL HEARING

If you do not consent to the Committee's decision and desire a hearing before the Board or a panel thereof, you shall notify, in writing, the Executive Director of the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, within 33 days of the date of entry of this Order. This Order shall become final upon expiration of the 33-day period unless a request for a formal hearing is received within such time. Upon receiving a timely request for a hearing, this Order shall be vacated and the Board or a panel thereof shall proceed with a hearing as provided in § 2.2-4020 *et seq.* of the Code.