

BEFORE THE VIRGINIA BOARD OF NURSING

**IN RE: SHAKIMA STANQUISHA FREEMAN BREWER, L.P.N.
REINSTATEMENT APPLICANT
LicenseNumber: 0002-075041
Case Number: 179728**

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on May 15, 2017, in Henrico County, Virginia, to receive and act upon Shakima Brewer’s application for reinstatement of her license to practice practical nursing in the Commonwealth of Virginia.

Shakima Stanquisha Freeman Brewer appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated May 3, 2017, the Board sent a Notice of Formal Hearing (“Notice”) to Ms. Brewer notifying her that a formal administrative hearing would be held on May 15, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

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

FINDINGS OF FACT

1. On December 12, 2006, the Board issued License Number 0002-075041 to Shakima Stanquisha Freeman Brewer, L.P.N. to practice practical nursing in the Commonwealth of Virginia. Pursuant to Virginia Code § 54.1-2409, said license was mandatorily suspended by Order of the

Department of Health Professions on on March 3, 2017. At all times relevant hereto, said license was in full force and effect. Her primary state of residence is Virginia.

2. On February 5, 2016, Ms. Brewer was involved in a traffic accident, in which she tested positive for alcohol with a blood alcohol content of .19, and for cannabis and cocaine, which she admitted ingesting the night before the accident. Ms. Brewer's minor child was also in the vehicle and suffered a lacerated bladder.

3. On January 11, 2017, Ms. Brewer pled guilty to and was convicted of felony driving under the influence and maiming, and misdemeanor driving under the influence with an elevated blood alcohol content with a child in the vehicle, in the Circuit Court of the County of Chesterfield, Virginia. This conviction formed the basis of the Order of Mandatory Suspension by the Department of Health Professions.

4. Ms. Brewer testified that the situation leading to the accident referred to in Finding of Fact Number 2 was a one-time occurrence. She told the Board that she had been at a party the night before, where she made bad choices by drinking too much and ingesting drugs. She also admitted that choosing to drive the morning of the accident was a bad choice.

5. At the hearing, Ms. Brewer told the Board that she has changed her lifestyle since this conviction and she has a new group of friends, has stopped smoking marijuana, and has learned to not abuse alcohol, smoke marijuana, or do cocaine.

6. Ms. Brewer last had a drug screen on April 10, 2017, and the results were negative.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of Virginia Code § 54.1-3007(6).
2. Finding of Fact No. 3 constitutes a violation of Virginia Code § 54.1-3007(4).

3. Ms. Brewer meets the requirements for reinstatement of her license to practice practical nursing.

ORDER

WHEREFORE, the Virginia Board of Nursing, by affirmative vote of at least three-fourths of the members of the Board at the proceeding, effective upon entry of this Order, ORDERS that the license issued to Shakima Stanquisha Freeman Brewer, L.P.N., to practice practical nursing in the Commonwealth of Virginia is REINSTATED and Ms. Brewer shall be placed on INDEFINITE PROBATION subject to the following terms and conditions:

1. The period of probation shall begin on the date that this Order is entered and shall continue indefinitely.
2. Ms. Brewer 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 90 days from the date this Order is entered. Ms. Brewer shall comply with any recommendations of the specialist. If therapy is recommended, written quarterly progress reports by the therapist shall be sent to the Board by the last day of the months of March, June, September and December until Ms. Brewer is discharged from therapy. Ms. Brewer shall direct the therapist to notify the Board if she withdraws from the treatment program before being officially discharged by the therapist.
3. Ms. Brewer shall comply with the terms of her state probation.
4. Ms. Brewer shall ensure that the probation officer shall provide quarterly reports to the Board regarding Ms. Brewer's compliance with court-ordered probation. The reports shall be submitted on a quarterly basis to the Board, with the first report due no later than 60 days from entry of this Order and subsequent reports due the last day of the months of March, June, September and

December until Ms. Brewer and the individual specified above are notified, in writing, that the reporting requirement is ended. Ms. Brewer shall provide the Board with a certified true copy of her final court order placed on record by the Court upon completion of her probation.

5. Ms. Brewer shall submit “Self Reports” which include a current address, telephone number, email address, and verification of any and all current practice employment. These reports shall also include any changes in practice employment status. Self-Reports must be submitted whether Ms. Brewer has current practice employment or not. The reports shall be submitted on a quarterly basis to the Board, with the first report due no later than 60 days from the date of entry of the Order and subsequent reports due the last day of the March, June, September, and December until Ms. Brewer is notified, in writing, that the reporting requirement is ended.

6. Ms. Brewer shall provide her current and each future employer immediately upon employment with a copy of this Order in its entirety.

7. The Board shall issue Ms. Brewer a license marked “Valid in Virginia Only: Probation with Term.”

8. This Order is applicable to Ms. Brewer’s multistate licensure privileges, if any, to practice practical nursing. For the duration of this Order, Ms. Brewer 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.

9. Ms. Brewer shall bear any costs associated with the terms and conditions of this Order.

10. Ms. Brewer shall comply with all laws and regulations governing the practice of nursing in the Commonwealth of Virginia.


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

12. Failure to comply with all terms and conditions of this Order within five years of the date of entry of the Order may be reason for revoking or suspending the license of Ms. Brewer and an administrative proceeding shall be held to determine whether to impose such action.

13. This Order shall remain in effect until the Board has notified Shakima Stanquisha Freeman Brewer, L.P.N., in writing that she is released from probation.

14. The Executive Director of the Board is authorized to issue an Order or letter acknowledging satisfactory completion of the foregoing conditions or to refer the matter to an administrative proceeding for review of Ms. Brewer's compliance with the foregoing conditions.

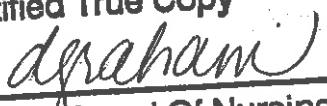
FOR THE BOARD



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

ENTERED AND MAILED ON:

June 9, 2017

Certified True Copy
By 
Virginia Board Of Nursing

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with 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. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.