

## BEFORE THE VIRGINIA BOARD OF NURSING

IN RE:       **ROBIN BEALE FRANKLIN, R.N.**  
              **License Number:   0001-089651**  
              **Case Number:       175644**

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**CONSENT ORDER**

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**JURISDICTION AND PROCEDURAL HISTORY**

The Virginia Board of Nursing ("Board") and Robin Beale Franklin, R.N., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Ms. Franklin's license to practice professional nursing in the Commonwealth of Virginia.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. Robin Beale Franklin, R.N. was issued License Number 0001-089651 to practice professional nursing on August 26, 1983, which is scheduled to expire on June 30, 2018. Her primary state of residence is Virginia.
2. Ms. Franklin violated Virginia Code § 54.1-3007(6) in that she is unable to safely practice professional nursing due to mental illness and her admitted alcohol abuse, as evidenced by the following:
  - a. On November 9, 2014, Ms. Franklin was admitted to Mary Washington Hospital, Fredericksburg, Virginia, and diagnosed with severe depression, suicidal ideations, and alcohol intoxication.
  - b. On February 9, 2015, during the course of her employment with Mary Washington Healthcare, Fredericksburg, Virginia, Ms. Franklin reported to work in an impaired condition. A for-cause drug screen was administered and was positive for alcohol.

c. On February 13, 2015, Ms. Franklin's employment with Mary Washington Healthcare was terminated.

d. On February 28, 2015, Ms. Franklin was admitted to Spotsylvania Regional Medical Center, Fredericksburg, Virginia, for suicidal ideations and was diagnosed with depressive disorder with alcohol dependence.

e. On April 9, 2015, Ms. Franklin entered into a Participation Contract and on May 18, 2015, and October 9, 2015, she signed a Recovery Monitoring Contract with the Health Practitioners' Monitoring Program ("HPMP"). On August 19, 2016, Ms. Franklin was dismissed from the HPMP for noncompliance with her contract. Specifically, Ms. Franklin stopped calling the screening test line and stopped screening on July 18, 2016, submitted diluted/abnormal screens on September 15, 2015, and March 16, 2016, and stopped communicating with her HPMP case manager.

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

### CONSENT

Robin Beale Franklin, 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;
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 an informal fact-finding conference before the Board; and the right to representation by counsel;
4. I waive my right to an informal conference;

5. I admit to the Findings of Fact and Conclusions of Law contained herein and 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 license 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 issued to Robin Beale Franklin, R.N., to practice professional nursing in the Commonwealth of Virginia is SUSPENDED.

2. The license of Ms. Franklin will be recorded as SUSPENDED.

3. This suspension applies to any multistate privilege to practice professional nursing.

4. Should Ms. Franklin seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Franklin to demonstrate that she is safe and competent to return to the practice of professional nursing. Ms. Franklin shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.

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

ENTERED: January 24<sup>th</sup>, 2017

SEEN AND AGREED TO:

Robin Beale Franklin, R.N.  
Robin Beale Franklin, R.N.

COMMONWEALTH OF VIRGINIA  
COUNTY/CITY OF Snohomish Co. Arlington TO WIT: WASHINGTON

Subscribed and sworn to me, a notary public in and for the Commonwealth of Virginia at large, on this  
23 day of December, 2016.



Carol L. Wilson  
Notary Public

My Commission expires: 5-29-19

Registration No.: \_\_\_\_\_

Certified True Copy  
By [Signature]  
Virginia Board of Nursing