

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: KIMBERLY ANNE JERNIGAN, R.N. APPLICANT
Case Number: 176349

0001-273164

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 December 15, 2016, in Henrico County, Virginia, to receive and act upon Kimberly Anne Jernigan's application for licensure by examination to practice professional nursing in the Commonwealth of Virginia and to inquire into evidence that grounds may exist to deny said application.

Kimberly Anne Jernigan appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated November 18, 2016, the Board sent a Notice of Informal Conference ("Notice") to Ms. Jernigan notifying her that an informal conference would be held on December 15, 2016. 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 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. Kimberly Anne Jernigan submitted an application to the Board on August 19, 2016 for licensure by examination to practice professional nursing. Her primary state of residence is Virginia.
2. Ms. Jernigan violated Virginia Code § 54.1-3007(4), as evidenced by the following:
 - a. On June 27, 2012, in the Court of Common Pleas of Fulton County, Ohio, she was convicted of one count of felony theft.

b. On December 8, 2010, in the General District Court for the County of Culpeper, Virginia, she was convicted of one count of providing false information to a criminal investigator, a crime of moral turpitude.

c. On April 11, 2012, in the Municipal Court for the City of Sylvania, Ohio, she was convicted of one count of theft, a crime of moral turpitude.

d. On April 19, 2012, in the Municipal Court for the City of Sylvania, she was convicted of one count of theft, a crime of moral turpitude.

e. On May 12, 2012, in the Municipal Court for the City of Maumee, Ohio, she was convicted of one count of unauthorized use of property, a crime of moral turpitude.

f. On May 22, 2012, in the Municipal Court for the City of Maumee, she was convicted of mercantile theft, a crime of moral turpitude.

3. Ms. Jernigan violated Virginia Code § 54.1-3007(7) in that by Order of the Ohio Board of Nursing dated January 17, 2014, Ms. Jernigan's application for licensure to practice professional nursing in the State of Ohio was permanently denied.

4. Ms. Jernigan violated Virginia Code § 54.1-3007(1) and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing in that on her application for licensure dated August 16, 2016, when asked if she had ever been denied a license in Virginia or any other state or jurisdiction, she falsely answered "no," when, in fact, her license had been denied by the Ohio Board of Nursing as detailed in Finding of Fact No. 3.

5. Ms. Jernigan explained her legal history and the matter with the Ohio Board of Nursing to the Committee's satisfaction.

6. Ms. Jernigan said that she now has a well-developed support system of family and friends, she has been gainfully employed at the same job for three and a half years, and she has extensive insight into what caused her behavior. While she stated that she would not want to repeat her mistakes, Ms. Jernigan did say that she appreciated the personal insights she gained from the

counseling she received while serving her sentence through the Correctional Treatment Facility, Toledo, Ohio.

7. Ms. Jernigan otherwise meets the requirements of Virginia Code § 54.1-3017 and 18 VAC 90-20-190 of the Regulations Governing the Practice of Nursing.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. The application of Kimberly Anne Jernigan for licensure to practice professional nursing in the Commonwealth of Virginia is APPROVED. Upon successful completion of the NCLEX professional nursing examination, Ms. Jernigan shall be issued an unrestricted license.

2. Ms. Jernigan shall comply with all laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

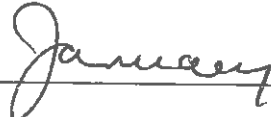
Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD

Certified True Copy
By 
Virginia Board of Nursing


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

ENTERED AND MAILED:

 January 19th, 2017

NOTICE OF RIGHT TO APPEAL

Pursuant to Virginia Code § 54.1-2400(10), Ms. Jernigan may, not later than 5:00 p.m., on February 21, 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 February 21, 2017, unless a request for a formal administrative hearing is received as described above.