

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: JAN ODELE EMSWILER, R.N. RENSTATMENT APPLICANT
License Number: 0001-159694
Case Number: 175825

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Jan Odele Emswiler, R.N. was issued License Number 0001-159694 to practice professional nursing on July 2, 1998, which expired on February 29, 2012. Her primary state of residence is Virginia.
2. Jan Odele Emswiler, R.N. submitted an application for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia on July 29, 2016.
3. Ms. Emswiler violated Virginia Code §§ 54.1-3007(3) and (5), 54.1-3008(A)(2) and (4) and 54.1-3011(C) in that from June 22, 2016 until August 23, 2016, during the course of her employment with Eastern Mennonite University, Harrisonburg, Virginia, she practiced professional nursing and held herself out as a registered nurse without a valid license or multistate privilege.
4. Ms. Emswiler otherwise meets the requirements for reinstatement of her license to practice professional nursing.

CONSENT

Jan Odele Emswiler, 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 application for reinstatement of my licensure 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 application of Jan Odele Emswiler, R.N., for reinstatement of her license to practice professional nursing is APPROVED contingent upon receipt of a MONETARY PENALTY of \$200.00. Failure to pay the full monetary penalty constitutes grounds for an administrative proceeding and further discipline. Once the monetary penalty is received, Ms. Emswiler shall be issued a license to practice professional nursing without restriction.

2. Ms. Emswiler 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



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

ENTERED: October 6th, 2016

SEEN AND AGREED TO:

Jan Odele Emswiler
Jan Odele Emswiler, R.N.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Harrisonburg, TO WIT:

Subscribed and sworn to me, a notary public in and for the Commonwealth of Virginia at large, on this
4th day of October, 2014.

Lisa R. Shank
Notary Public

My Commission expires: November 30, 2017
Registration No.: 362463

Certified True Copy

By [Signature]
Virginia Board Of Nursing