

4. Ms. Bray violated § 54.1-3007(2), (5) and (6) of the Code, and 18 VAC 90-20-300(A)(2)(c) of the Board of Nursing Regulations, in that, during the course of her employment at Inova Alexandria Hospital, Alexandria, Virginia, by her own admission, on or about March 9, 2004, she obtained Sublimaze (fentanyl), a Schedule II controlled substance, from a sharps box, and intravenously self-administered the drug while on duty in the Neonatal Intensive Care Unit. Ms. Bray submitted to a urine drug screen, which revealed positive results for marijuana, morphine and midazolam. Ms. Bray's employment was suspended, and she was instructed not to return to the hospital. Ms. Bray re-entered the hospital on or about March 10, 2004, at 3:37 a.m., and at 4:28 a.m. Ms. Bray attempted to enter the hospital through the emergency room on or about March 15, 2004, at 12:22 a.m., but was denied access, and escorted from the premises. On or about March 16, 2004, Ms. Bray's employment was terminated after she was informed that she had been observed entering the hospital after her employment was suspended.

5. Ms. Bray violated § 54.1-3007(5) and (6) of the Code, in that, during the course of her employment at Progressive Nursing Staffers, Springfield, Virginia:

a. On or about December 2, 2003, Prince William Hospital requested that Ms. Bray not return to the facility, complaining that she had a "flat affect", was "acting oddly" and that her speech was slurred. Ms. Bray resigned voluntarily in lieu of termination after this incident.

b. On or about July 22, 2003, Inova Fairfax Hospital requested that Ms. Bray not return to the facility.

6. Ms. Bray violated § 54.1-3007(6) of the Code, in that, after entering the Health Practitioners' Intervention Program ("HPIP") on or about March 31, 2004, with a diagnosis of Bi-Polar Disorder and opiate dependency, she was dismissed from HPIP at her own request on June 30, 2004, when she declined to enter residential treatment as recommended for financial reasons.

7. Ms. Bray violated § 54.1-3007(6) of the Code, in that, she has attempted suicide on at least three occasions in the last three years, with the most recent attempt occurring during her inpatient treatment at the William J. Farley Center, Williamsburg, Virginia, on or about March 20, 2004. She was diagnosed with “major depression, severe, recurrent” and polysubstance dependence (percocet, dilaudid and benzodiazepines) during hospitalization at Riverside Behavioral Health, Hampton, Virginia, subsequent to her most recent suicide attempt.

CONSENT

Kirsten Bray, R.N., by affixing her signature hereon, agrees to the following:

1. Ms. Bray acknowledges that she has been specifically advised to seek advice of counsel prior to signing this document;
2. Ms. Bray acknowledges that she is fully aware that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000 A, et seq., of the Code;
3. Ms. Bray acknowledges that she has the following rights among others: the right to a formal fact finding hearing before the Board, to reasonable notice of said hearing, to representation by counsel, and the right to cross examine witnesses against her;
4. Ms. Bray waives all such right to a formal hearing;
5. Ms. Bray admits to the above Findings of Fact;
6. Ms. Bray consents to the entry of the following Order affecting her practice as a professional nurse in the Commonwealth of Virginia.

ORDER

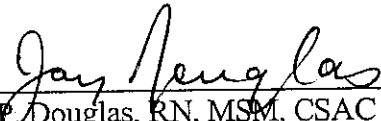
WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon

entry of this Consent Order, and in lieu of further proceedings, hereby ORDERS that License No. 0001-184670 issued to Kirsten Bray, R.N., be and hereby is INDEFINITELY SUSPENDED. Ms. Bray may petition the Board for reinstatement of her license to practice professional nursing, at which time a meeting will be convened to receive evidence satisfactory to the Board that Ms. Bray is able to resume the safe and competent practice of nursing. At such time as she shall petition the Board for reinstatement of her license, a hearing will be convened to receive evidence satisfactory to the Board that she is capable of resuming the safe and competent practice of nursing.

Pursuant to Sections 2.2-4023 and 54.1-2400.2 of the Code of Virginia (1950), as amended, the signed original of this Consent 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.

Upon entry of this Consent Order, the license of Kirsten Bray, R.N., will be recorded as Suspended and no longer current. Consistent with the terms of this Consent Order, in the event that Ms. Bray seeks reinstatement of her license, Ms. Bray shall be responsible for any fees that may be required for the reinstatement and renewal of her license prior to issuance of her license to resume practice.

FOR THE BOARD



Jay P. Douglas, RN, MSM, CSAC
Executive Director

ENTERED: September 17th, 2004

SEEN AND AGREED TO:

Kirsten C. Bray R.N.
Kirsten Bray, R.N.

COMMONWEALTH OF VIRGINIA,

COUNTY/CITY OF Alexandria, TO WIT:

Subscribed and sworn to before me, Sarah E. Andersen, a Notary Public, this
10th day of September, 2004.

My commission expires the 10 day of August, 2004.



NOTARY PUBLIC

My Commission Expires November 30, 2007

Certified True Copy

By DL 9/17/04
Virginia Board of Nursing

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