

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: ROSEMARY TAMBRA JENKINS, R.N.
License Number: 0001-170076
Case Number: 171059

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 June 2, 2016, in Henrico County, Virginia, to inquire into evidence that Rosemary T. Jenkins, R.N., may have violated an Order of the Board entered April 3, 2008 (“Board’s Order”).

Rosemary Tambra Jenkins, R.N. did not appear at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated May 4, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Jenkins notifying her that an informal conference would be held on June 2, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing. The receipt for the Notice sent via certified mail was signed by Ms. Jenkins and returned to the Board office on May 12, 2016. The Notice sent via first class mail was not returned to the Board office. Accordingly, the Committee Chair concluded that adequate notice was provided to Ms. Jenkins and the informal conference proceeded in her absence.

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. Rosemary Tambra Jenkins, R.N. was issued License Number 0001-170076 to practice professional nursing on August 8, 2000, which is scheduled to expire on November 30, 2017. At all times relevant to the allegations contained herein, said license was in full force and effect. Her primary state of residence is Virginia.
2. On April 3, 2008, the Board entered an Order reprimanding Ms. Jenkins and placing her on probation for two years of actual nursing practice subject to terms and conditions. The Order was based on findings that in 2005, Ms. Jenkins failed to make supervisory visits to Medicaid home care clients but falsely documented having conducted said supervisory visits, resulting in fraudulent documentation in the patients' records and fraudulent billing of Medicaid.
3. Ms. Jenkins violated Term No. 7 of the Board's Order, which required her to submit quarterly "Self-Reports," including a current address, telephone number, and verification of all current employment, including any changes in employment status. Specifically:
 - a. She did not submit the Self-Report due on March 31, 2010, until April 2, 2010.
 - b. She did not submit the Self-Report due on September 30, 2010, until October 1, 2010.
 - c. She did not submit the Self-Report due on March 21, 2011.
 - d. She did not submit the Self-Report due on June 30, 2011, and September 30, 2011, until October 13, 2011.
 - e. She has failed to submit any Self-Reports since October 31, 2011.
4. Ms. Jenkins has worked as a missionary in Africa for most of the past five years and has not worked as a nurse.

ORDER

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

1. Ms. Jenkins is continued on INDEFINITE PROBATION.
2. Successful completion of Ms. Jenkins' probation shall be contingent on her beginning employment as a professional nurse no later than one year from entry of this Order and completing two years of active employment as a professional nurse within a period of three years from entry date of this Order. Further, during the two-year period of practice, the following terms and conditions of the April 3, 2008, Order are re-imposed, as follows:
 - a. Ms. Jenkins shall inform the Board in writing within ten days of the date she begins nursing practice, or changes employment, or if any interruption in nursing practice occurs. Additionally, Ms. Jenkins shall provide the name and address of each employer to the Board.
 - b. Ms. Jenkins shall inform her current nursing employer and each future nursing employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order. If Ms. Jenkins is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.
 - c. Performance Evaluations shall be provided, at the direction of Ms. Jenkins, by all nursing employer(s), as provided by the Compliance Division.
 - d. For all current nursing employment, and before beginning or changing nursing employment during this period, Ms. Jenkins shall have current and all prospective employers provide a written description of the employment setting to the Board office for approval.
 - e. Ms. Jenkins shall submit quarterly "Self-Reports" which include a current address, telephone number, and verification of all current employment. These reports shall also include any

changes in employment status. The first report must be received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends.

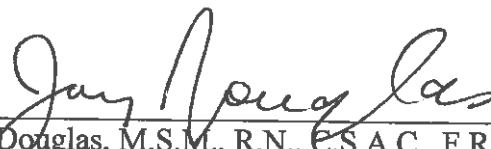
f. Ms. Jenkins shall conduct herself as a professional nurse in compliance with the requirements of Title 54.1, Chapter 30 of the Code and the Board of Nursing Regulations.

g. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Jenkins and an administrative proceeding shall be held to decide whether her license shall be revoked.

h. This Order is applicable to Ms. Jenkins' multistate licensure privileges, if any, to practice as a professional nurse in the Commonwealth of Virginia. For the duration of this Order, Ms. Jenkins 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 wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

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 AND MAILED: June 29TH, 2016

NOTICE OF RIGHT TO APPEAL

Pursuant to Virginia Code § 54.1-2400(10), Ms. Jenkins may, not later than 5:00 p.m., on August 1, 2016, notify Jay P. 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 August 1, 2016, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By *D. Fowler*
Virginia Board of Nursing