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VA BD OF NURSING

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: BARBARA J. B. VOLZ, R.N.
License Number: 0001-249537
Case Number: 169002

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Barbara J. B. Volz, R.N. was issued License Number 0001-249537 to practice professional nursing on February 7, 2014, which is scheduled to expire on December 31, 2016. Her primary state of residence is Virginia.
2. Ms. Volz violated Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing in that during the course of her employment at the Halifax Regional Medical Center in Roanoke Rapids, North Carolina, between July 27, 2014 and October 31, 2014, she made multiple medication and documentation errors. Specifically:
 - a. On at least one occasion, Ms. Volz bypassed the bar scanning safety system designed to prevent a medication administration error.
 - b. Ms. Volz' employment was terminated as a result of multiple medication errors, failure to follow written documentation guidelines, and failure to notify physicians when medications were given late or omitted.

3. Pursuant to a Consent Order ("N.C. Order") entered by the State of North Carolina Board of Nursing ("N.C. Board") on July 18, 2015, Ms. Volz' privilege to practice as a registered nurse was placed on probation with conditions for a period of one year not to exceed two years.

4. The restrictions placed on Ms. Volz' privilege include the following requirements: that Ms. Volz work under the direction of an on-site R.N., have quarterly written performance reports submitted to the Board for one year and pay a monetary penalty of \$300.00.

5. At the present time, Ms. Volz remains in compliance with the N.C. Order.

CONSENT

Barbara J. B. Volz, 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; the right to representation by counsel; and the right to cross-examine witnesses against me;
4. I waive all right to an informal conference;
5. I admit to the Findings of Fact and Conclusion 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 right to practice 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. Barbara Volz, R.N. is placed on INDEFINITE PROBATION for a period of not less than 12 months subject to the following terms and conditions:
 - a. The period of probation shall begin on the date that this Order is entered and shall end at such time that Barbara Volz, R.N. has completed 12 months of active nursing practice.
 - b. The license shall be reinstated without restriction at the completion of the probationary period unless there is a pending investigation or unresolved allegation involving a violation of the law or regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely until such time as the board makes a case decision in accordance with the Administrative Process Act (Virginia Code § 2.2-4000 *et seq.*) and Virginia Code §54.1-2400(9).
 - c. Barbara Volz, R.N. shall practice professional nursing only in a structured/supervised employment setting pre-approved by the Board under the on-site supervision of a Board-approved physician, licensed nurse practitioner or professional nurse who holds an unrestricted license and practices on the same shift.
 - d. Barbara Volz, R.N. shall ensure that the practice employer shall provide quarterly reports to the Board regarding Barbara Volz, R.N.'s clinical performance. The reports shall be submitted on a quarterly basis to the Board, with the first report due no later than days from the date this Order is entered. Subsequent reports are due the last day of the months of March, June, September and December until Barbara Volz, R.N. and the practice employer are notified, in writing, that the reporting requirement has ended.

- e. Barbara Volz, R.N. shall within ten days of the date of entry of this Order return all copies of her current license, along with any required fee, to the Board Office, and the Board shall issue Barbara Volz, R.N. a license marked "Valid in Virginia Only: Probation with Terms."
- f. This Order is applicable to Barbara Volz' multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Barbara Volz 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 seeks to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.
- g. Barbara Volz, R.N. shall provide her current and each future nursing employer immediately upon employment with a copy of this Order in its entirety.
- h. Barbara Volz, R.N. shall sign all required medical releases and authorization forms within 90 days of the entry of this Order allowing for unrestricted communication between and among the Board and her current and future treating healthcare providers.
- i. Barbara Volz, R.N. shall notify the Board within ten days, in writing of any:
 - i.) Change in address, telephone number or email address; and
 - ii.) Change in employment, including termination, suspension, separation, or other interruption in practice.
- j. Barbara Volz, R.N. shall comply with Term # 14 of the Order of the State Board of North Carolina dated July 19, 2015. Barbara Volz, R.N. shall advise this Board in writing of any change in that Order or in her status with the North Carolina Board of Nursing within ten

calendar days of such change. Barbara Volz, R.N. shall authorize free communication between this Board and the North Carolina Board.

- k. Barbara Volz, R.N. shall comply with all laws and regulations governing the practice of nursing in the Commonwealth of Virginia.
2. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of nursing shall constitute grounds for further disciplinary action.
 3. Failure to comply with all terms and conditions of this Order within five years of the date of entry of the Order may be reason for revoking or suspending the license of Barbara Volz, R.N., and an administrative proceeding shall be held to determine whether to impose such action.

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

for Gloria Mitchell Sevelly
Jay Douglas, M.S.M., R.N., C.S.A.C., C.R.E.
Executive Director
Virginia Board of Nursing

ENTERED: June 10, 2016

SEEN AND AGREED TO:

Barbara J. B. Volz, R.N.
Barbara J. B. Volz, R.N.

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

Certified True Copy

By [Signature]
Virginia Board of Nursing

Subscribed and sworn to before me, the undersigned Notary Public, in and for the Commonwealth of Virginia, at large, this 1st day of June, 2016.

Rinda D. Mergia
Notary Public

My commission expires: 7/31/2017

Registration No.: 7566089

