

Certified True Copy

By   
Virginia Board of Nursing



RECEIVED

SEP 20 2017

COMMONWEALTH of VIRGINIA VA BD OF NURSING

David E. Brown, D.C.  
Director

Department of Health Professions

Perimeter Center  
9960 Mayland Drive, Suite 300  
Henrico, Virginia 23233-1463

www.dhp.virginia.gov  
TEL (804) 367-4400  
FAX (804) 527-4475

September 19, 2017

Barbara J. B. Volz, R.N.  
372 Lineberry Rd  
Virginia Beach, VA 23452

RE: License Number: 0001-249537  
Case Number: 182541

DUPLICATE COPY  
VIA FIRST CLASS MAIL

DATE 9/19/17

Dear Ms. Volz:

Pursuant to Virginia Code § 54.1-2409, you are hereby given notice that your license to practice professional nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered September 19, 2017. You are hereby advised that you may not practice professional nursing or hold yourself out as a licensed professional nurse unless and until the Board of Nursing has notified you in writing that your license has been reinstated. Please return your license to Jay P. Douglas, Executive Director of the Virginia Board of Nursing ("Board"), at the above address, immediately upon receipt of this letter.

You may apply to the Board for reinstatement of your license, and you shall be entitled to a formal administrative hearing not later than the next regular meeting of the Board after the expiration of 60 days from the Board's receipt of your reinstatement application. The reinstatement of your license shall require the affirmative vote of three-fourths of the members of the Board present at the hearing. The reinstatement application can be found at [www.dhp.virginia.gov/Nursing](http://www.dhp.virginia.gov/Nursing).

If you have any questions about this matter, you can contact me at (804) 367-4474 or [anne.joseph@dhp.virginia.gov](mailto:anne.joseph@dhp.virginia.gov).

Sincerely,



Anne Joseph, Deputy Director  
Administrative Proceedings Division

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

**BEFORE THE VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS**

**IN RE: BARBARA J. B. VOLZ, R.N.**  
**License Number: 0001-249537**  
**Case Number: 182541**

**ORDER OF MANDATORY SUSPENSION**

In accordance with Virginia Code § 54.1-2409, I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that the North Carolina Board of Nursing suspended the multistate licensure privilege of Barbara J. B. Volz, R.N., to practice professional nursing in the State of North Carolina. A certified copy of the Order to Suspend and Show Cause is attached hereto as Commonwealth's Exhibit 1.

WHEREUPON, by the authority vested in the Director of the Department of Health Professions pursuant to Virginia Code § 54.1-2409, it is hereby ORDERED that the license of Barbara J. B. Volz, R.N., to practice professional nursing in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the license of Barbara J. B. Volz, R.N., will be recorded as suspended and no longer current and valid. Should Ms. Volz seek reinstatement of her license pursuant to Virginia Code § 54.1-2409, she shall be responsible for any fees that may be required for the reinstatement of the license prior to issuance of the license to resume practice.

This Order shall be applicable to Ms. Volz' multistate licensure privilege, if any, to practice 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 or copying on request.



\_\_\_\_\_  
David E. Brown, D.C., Director  
Virginia Department of Health Professions

ENTERED:

\_\_\_\_\_  
9/19/17

**CERTIFICATION OF DUPLICATE RECORDS**

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Order to Suspend and Show Cause entered August 24, 2017, regarding Barbara J. B. Volz, R.N., is a true copy of the records received from the North Carolina Board of Nursing.



\_\_\_\_\_  
David E. Brown, D.C.

9/19/17

\_\_\_\_\_  
Date

BEFORE THE BOARD OF NURSING  
OF THE STATE OF NORTH CAROLINA



I certify that this is a true and accurate copy of its original and has been kept in the ordinary course of business at the office of the North Carolina Board of Nursing.

*[Signature]*  
Executive Director of the Board

In the matter of: )  
Barbara Volz, RN )  
Virginia License Number 0001249537 )

ORDER TO SUSPEND AND SHOW CAUSE

Pursuant to the authority vested by Article 9A, Chapter 90 of the General Statutes of North Carolina and Article 3A of Chapter 150B of the General Statutes of North Carolina, the North Carolina Board of Nursing ("Board") suspends the Registered Nurse privilege to practice of Barbara Volz ("Licensee") for violation of the terms of the Settlement Published Consent Order ("Consent Order").

1. Licensee is the holder of Virginia Single State Registered Nurse License Number 0001249537, which expires on December 31, 2018.
2. On July 17, 2015, Licensee signed a Settlement Published Consent Order which defined the terms of probation on her North Carolina privilege to practice.
3. Licensee agreed to adhere to all the terms of the Consent Order.
4. On August 8, 2017, it was determined Licensee violated the terms of the Consent Order.
5. The Consent Order, accepted by Licensee on July 17, 2015, reads in pertinent part:

Licensee will be issued a Probationary Privilege to Practice for twelve (12) months but not longer than twenty-four (24) months, to successfully comply with all conditions. If conditions are not completed after twenty-four (24) months, Licensee may petition to appear before the Licensure Review Panel to request an extension of time to complete probationary conditions. If Licensee does not request an extension, the privilege to practice will be suspended.

6. On August 4, 2015, Licensee was sent a letter from the Regulatory Compliance Coordinator ("Coordinator") which provided her with a deadline date of August 8, 2017 to complete the probationary conditions. Licensee was to submit satisfactory work performance reports for a period of one (1) year while working in a licensed nursing position to satisfy the probationary conditions.
7. On February 6, 2017, Licensee was sent a letter regarding documents to be submitted by July 6, 2017 in order for her to appear before the Licensure Review Panel on August 10, 2017 to request an extension of time to satisfy the probationary conditions. Licensee had not notified the Board of any nursing employment.
8. On July 6, 2017, in a telephone conversation with the Coordinator, Licensee was granted an extension until July 13, 2017 to submit the necessary information.



BEFORE THE BOARD OF NURSING  
OF THE STATE OF NORTH CAROLINA

In the matter of: )  
Barbara Volz, RN )  
Virginia License Number 0001249537 )

ORDER TO SUSPEND AND SHOW CAUSE

9. On July 19, 2017, Licensee left a voice mail message for the Coordinator stating she had no intention of coming before the Licensure Review Panel. No documentation had been received from Licensee.

10. On August 11, 2017, Coordinator sent Licensee a Request to Withdraw and Consent to Suspension and explained she had the option to withdraw or her privilege to practice would be suspended for failure to satisfy the probationary conditions. Licensee was given until August 17, 2017 to submit the Request to Withdraw form. The form was not received and Licensee did not contact the Coordinator regarding withdrawing.

11. The above-described facts and conduct indicate Licensee has violated the provisions of Article 9A of the Nursing Practice Act and willfully violated the rules enacted by the Board in Title 21 Chapter 36 of the North Carolina Administrative Code §.0217(c) within the meaning of N.C. Gen. Stat. §90-171.37(7) and (8) and grounds exist under those sections of the North Carolina Statutes for the Board and rules promulgated there under to revoke or suspend Licensee's privilege to practice nursing and invoke other such disciplinary measures, censure, or probative terms against her privilege to practice as it deems fit and proper.

12. The above-described facts and conduct indicate that Licensee violated the terms of her probation, condition or limitation imposed on Licensee by the Board within the meaning of 21 NCAC 36 .0217(c)(20) and grounds exist under that section of the North Carolina Administrative Code for the Board to revoke or suspend Licensee's privilege to practice nursing and invoke other such disciplinary measures against her privilege to practice as it deems fit and proper.

13. In accordance with the terms of the Consent Order, the Registered Nurse privilege to practice of Licensee is hereby suspended for a minimum of twelve (12) months, and Licensee must immediately CEASE AND DESIST from the practice of nursing in North Carolina.

14. Licensee is entitled to a Show Cause Hearing to show cause why she should not be found in violation of the terms of the Consent Order.

15. If Licensee disputes that such violations of the Consent Order have occurred, Licensee must file such objections in writing with the Board WITHIN TEN (10) BUSINESS DAYS of the date of the receipt of notice of the violations to Licensee. The notice to the Board shall contain, with specificity, the violations disputed.

16. When Licensee has properly filed notice of objection with the Board, Licensee will be provided a Hearing before the Board at the next scheduled Board meeting for which appropriate notice can be provided, or scheduled by consent of the parties.

BEFORE THE BOARD OF NURSING  
OF THE STATE OF NORTH CAROLINA

In the matter of: )  
Barbara Volz, RN )  
Virginia License Number 0001249537 ) ORDER TO SUSPEND AND SHOW CAUSE

17. Failure to return the written objection within the designated time period will be construed to mean Licensee is not contesting the matter and all further proceedings to which Licensee is otherwise entitled by law are hereby waived.

18. In accordance with G.S. 90-171.27(d) and Board policy derived there from, a fee may be assessed for disciplinary matters. A Show Cause Hearing is considered a discipline action.

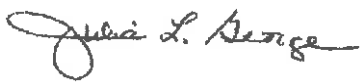
19. If Licensee does not contest the violations contained in this ORDER, the ORDER will become final.

20. This ORDER will be placed in Licensee's file and becomes public record pursuant to the North Carolina Public Record Statute G.S. Chapter §132 and Board policy.

21. This ORDER is public record, as required by N.C. General Statute §132, and will be placed in Licensee's file. All disciplinary actions taken by the Board will be reported to the appropriate entities as outlined in Board policy, and as required by state and/or federal guidelines. Those entities include, but may not be limited to, NURSYS, National Practitioner Data Bank (NPDB), the Office of the Inspector General (OIG), and any other state jurisdiction in which Licensee is, or has been, licensed.

22. Pursuant to North Carolina General Statute Section 150B-40(d), Licensee may not communicate, directly or indirectly, with any individual member of the Board about this matter.

This the 24<sup>th</sup> day of August, 2017.



Julia L. George, RN, MSN, FRE  
Executive Director  
North Carolina Board of Nursing

BEFORE THE BOARD OF NURSING  
OF THE STATE OF NORTH CAROLINA



I certify that this is a true and accurate copy of its original and has been kept in the ordinary course of business at the office of the North Carolina Board of Nursing.

*[Signature]*  
Executive Director of the Board

In the matter of: )  
Barbara Volz, RN )  
Virginia Multistate License # 0001249537 )

**SETTLEMENT PUBLISHED**  
**CONSENT ORDER**

This matter is before the North Carolina Board of Nursing ("Board") through the Settlement Committee by request of Barbara Volz, RN ("Licensee"). Licensee knowingly and voluntarily waives her right to a formal hearing under Art. 3A of N.C. Gen. Stat. § 150B before the Board and the right to present evidence in her defense and in mitigation of any sanction that could be imposed for a violation; to confront and cross-examine witnesses and to challenge evidence presented by the Board against them; to present legal arguments in a brief; and to appeal from any final decision adverse to her privilege to practice nursing. Both parties stipulate and agree to the findings of fact and conclusions of law recited herein and to the **ORDER** imposed. By her consent, the Licensee also stipulates that she knowingly and voluntarily waives her right to appeal this **ORDER** or challenge in any way the sufficiency of the findings of this **ORDER**. Licensee admits and the Board finds that:

**FINDINGS OF FACT**

1. The North Carolina Board of Nursing is a body duly organized under the laws of North Carolina and is the proper body for this proceeding under the authority granted it in Article 9A, Chapter 90 of the General Statutes of North Carolina, and the rules and regulations promulgated hereunder.
2. Licensee is the holder of Virginia Multistate License Number 0001249537, which expires on December 31, 2016.
3. On November 14, 2014, the Board received the following complaint and began its investigation.
4. Licensee was employed as a staff nurse on a Med/Surg unit with Halifax Regional Medical Center in Roanoke Rapids, North Carolina when she was terminated for multiple medication errors and documentation deficiencies that occurred between July 27, 2014 and October 31, 2014.
5. The errors included the omission of medications like Lovenox, Coumadin and insulin, administration of incorrect medications including IV fluids and delay in the administration of antibiotics. Additionally, Licensee failed to document appropriately, failed to consistently notify the physician when medications were given late or omitted and, on at least one occasion, she failed to utilize the bar scanning safety system or verify medications in the electronic medical record that might have prevented an error.
6. The Licensee acknowledged the practice deficiencies and offered that as a new graduate, she had limited experience working in electronic medical records, managing a full patient assignment and prioritizing her nursing activities.

**BEFORE THE BOARD OF NURSING  
OF THE STATE OF NORTH CAROLINA**

In the matter of: )  
Barbara Volz, RN )  
Virginia Multistate License # 0001249537 )

**SETTLEMENT PUBLISHED**  
**CONSENT ORDER**

7. Licensee stipulates that such allegations, if proven, are legally sufficient to support Findings of Fact and Conclusions of Law that Licensee has violated N.C. Gen. Stat. § 90-171.37 and the Board regulations, as specified in the Findings of Fact and Conclusions of Law. In the event that the terms of this Consent Order are not fulfilled and the Board issues a new Notice of Hearing to Show Cause, Licensee stipulates that the Findings of Fact may be introduced into evidence as admitted allegations.

8. On June 18, 2015, Licensee appeared before the Settlement Committee consisting of Board Members Sharon Moore, RN, Presiding Officer; Deborah Herring, RN; Pat Campbell, Public Member; Jennifer Kaylor, RN and Bob Newsom, LPN to hold a settlement conference with regard to the above-referenced matter.

9. Licensee presented evidence in the form of certificates of completion for the following courses:

- a. [www.learningext.com](http://www.learningext.com) online course entitled, "Sharpening Critical Thinking";
- b. [www.learningext.com](http://www.learningext.com) online course entitled, "Medication Errors: Detection and Prevention" and
- c. [www.rn.com](http://www.rn.com) online course entitled, "Medication Safety: Assuring Safe Outcomes".

**CONCLUSIONS OF LAW**

1. This matter is properly before the Board and the Board has jurisdiction over Licensee and the subject matter of this case.

2. Licensee's conduct, as set out in the findings of fact above, constitutes grounds for discipline pursuant to N.C. Gen. Stat. 90-171.37 as follows:

- (4) engages in conduct that endangers the public health;
- (7) has violated any provision of this Article;

and Rule 21 NCAC 36.0224:

- (d) Implementation of nursing activities is the initiating and delivering of nursing care according to an established plan, which includes, but is not limited to:



**BEFORE THE BOARD OF NURSING  
OF THE STATE OF NORTH CAROLINA**

In the matter of:

Barbara Volz, RN

Virginia Multistate License # 0001249537

SETTLEMENT PUBLISHED  
CONSENT ORDER

- )
- )
- )
- )
- )
- (2) implementing nursing interventions and medical orders consistent with 21 NCAC 36 .0221(c) and within an environment conducive to client safety;
- (3) prioritizing and performing nursing interventions;
- (4) analyzing responses to nursing interventions;
- (5) modifying nursing interventions; and
- (j) Administering nursing services is the responsibility of the registered nurse as specified in the legal definition of the practice of nursing in G.S. 90-171.20 (7)i, and includes, but is not limited to:
- (2) implementation of the identified standards, policies and procedures to promote safe and effective nursing care for clients.
3. Grounds exist pursuant to N.C. Gen. Stat. 90-171.37 for the Board to revoke or suspend a privilege to practice nursing and invoke other such disciplinary measures such as censure or probative terms against a licensee as it deems fit and proper.

ORDER

1. Based on the foregoing Findings of Fact and Conclusions of Law, without further notice of proceedings, the Board enters into the following **ORDER** with Licensee:
2. Licensee will be issued a Probationary Privilege to Practice for twelve (12) months but not longer than twenty-four (24) months, to successfully comply with all conditions. If conditions are not completed after twenty-four (24) months, Licensee may petition to appear before the Licensure Review Panel to request an extension of time to complete probationary conditions. If Licensee does not request an extension, the privilege to practice will be suspended.
1. Shall comply with the Board's probation program. Licensee shall fully comply with the terms and conditions of the Probation program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of the Licensee's compliance with the program.
2. Shall not serve in a volunteer position in any healthcare related licensed position while under probation conditions.
3. Shall notify the Board, in writing within five (5) days, of any change in address or employment status. This includes new employment, probation, suspension, termination/resignation from employment, medical leave and FMLA. Licensee must also notify the Board of any change in supervisor,

BEFORE THE BOARD OF NURSING  
OF THE STATE OF NORTH CAROLINA

In the matter of: )  
Barbara Volz, RN )  
Virginia Multistate License # 0001249537 )

SETTLEMENT PUBLISHED  
CONSENT ORDER

- by telephone within twenty-four (24) hours and in writing within five (5) days.
4. Shall inform prospective employer of probation conditions during the interview process and share a copy of these conditions prior to beginning employment.
  5. Shall be employed in a licensed nursing position and shall have quarterly written performance reports submitted to the Board from all employers. The quarterly reports must involve three (3) consecutive months of employment as a nurse in the same facility and must show an average of sixty-four (64) hours worked per month. Report must be signed by RN or licensed healthcare provider approved by the Board.
  6. Shall continue to perform duties in a safe and competent manner, satisfactory to the Board.
  7. Shall notify the Board, by telephone within twenty-four (24) hours and in writing within five (5) days, of any DUI/DWI and misdemeanor/felony charges. Following final disposition of the charges, notify the Board by telephone within twenty-four (24) hours and in writing within five (5) days of the outcome.
  8. Shall appear in person at interviews/meetings as directed by the Board.
  9. In accordance with the Interstate Compact for Nurse Licensure, the Licensee shall not practice in any other compact state until Licensee has completed probationary conditions or has obtained prior written authorization from the North Carolina Board of Nursing and the other compact state's Board of Nursing.
  10. Shall work for at least twelve (12) months under the direction of an on-site RN.
  11. Shall not work more than twelve (12) hours per twenty-four (24) hour period.
  12. Shall not work for a nurse staffing agency, home health or home care agency, private duty or home hospice for twelve (12) months.
  13. Shall not work in critical care specialty areas or Emergency Department for twelve (12) months.
  14. Shall pay \$300 fee prior to completion of probation.
3. If during the period of this ORDER, the staff of the Board receives evidence that the Licensee has violated any of the above conditions; or if the Board determines that such violations have occurred, the Board may, after appropriate notice, suspend or revoke the privilege to practice.

**BEFORE THE BOARD OF NURSING  
OF THE STATE OF NORTH CAROLINA**

In the matter of: )  
 )  
Barbara Volz, RN )  
 )  
Virginia Multistate License # 0001249537 )

**SETTLEMENT PUBLISHED**  
**CONSENT ORDER**

4. In the event the Board determines that the Licensee has violated any of the conditions of this **ORDER**, and the Licensee disputes that such a violation of the conditions has occurred, Licensee must file such objection in writing with the Board **WITHIN TEN (10) BUSINESS DAYS** of the date of the notice of the violations to Licensee. The notice to the Board shall contain with specificity the violations disputed. Failure to submit a timely notice of objection shall constitute a waiver of Licensee's right to dispute the Board determination.

5. Any suspension of the privilege to practice will be for a minimum of one (1) year.

6. Licensee may terminate this **ORDER** at any time by submitting a signed and notarized Consent to Withdraw form. Withdrawal from this **ORDER** will result in suspension of the privilege to practice for a minimum of twelve (12) months.

7. When proper notice of objection has been filed with the Board, the Licensee will be provided a Hearing before the Board at the next available meeting of the Board for which appropriate notice can be provided, or scheduled by consent of the parties.

8. This **ORDER** is public record, as required by N.C. General Statute § 132 and will be placed in the Licensee's file. All disciplinary actions taken by the Board will be reported to the appropriate entities as outlined in Board policy, and as required by state and/or federal guidelines. Those entities include, but may not be limited to: NURSUS (National database of licensed nurses-National Council of State Boards of Nursing), National Practitioner Data Bank (NPDB), the Office of the Inspector General (OIG) and any other state/jurisdiction in which the Licensee is or has been licensed.

9. This **ORDER** shall take effect immediately when returned to the Board office after proper execution by both the Licensee and the Board.

**THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK**

BEFORE THE BOARD OF NURSING  
OF THE STATE OF NORTH CAROLINA

In the matter of: )  
Barbara Volz, RN )  
Virginia Multistate License # 0001249537 )

SETTLEMENT PUBLISHED  
CONSENT ORDER

By order of the North Carolina Board of Nursing this the 18<sup>th</sup> day of June, 2015.

*Sharon Moore*

Sharon Moore, RN  
Presiding Officer of the Settlement Committee

*Amy G. Fitzhugh*

Amy G. Fitzhugh, JD  
Staff Attorney

Consented to this the 11<sup>th</sup> day of July, 2015.

*Shirley Pruitt*

Shirley Pruitt, Attorney for Licensee

*Barbara Volz*

Barbara Volz, Licensee

State of Virginia  
City  
County of Virginia Beach

I, Karen A. Norwood, a Notary Public for the above named County and State,

do hereby certify that Barbara Volz personally appeared before me this day and

acknowledged the due execution of the foregoing instrument.

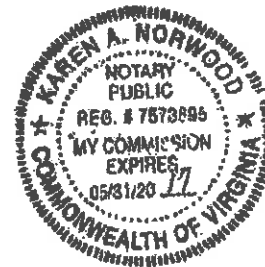
Witness my hand and official seal

This the 11<sup>th</sup> day of July, 2015.

*Karen A. Norwood*  
Notary Public

My commission expires: 5/31/2017

(Seal)



\* Notarized Barbara Volz Signature only