

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

KRYSTINA KIRK, L.P.N.

License No.: 0002-074193

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on August 13, 2012 in Henrico County, Virginia, to inquire into evidence that Krystina Kirk, L.P.N., may have violated certain laws governing nursing practice in Virginia. Ms. Kirk was present and was not represented by counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Krystina Kirk, L.P.N., was issued License No.0002-074193 to practice practical nursing in the Commonwealth of Virginia on August 18, 2006. Said license expires on April 30, 2014. Ms. Kirk’s primary state of residence is Virginia.
2. By letter dated July 17, 2012, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Kirk notifying her that an informal conference would be held on August 13, 2012. The Notice was sent by certified and first class mail to 1921 Irisburg Road, Axton, Virginia 24554, the address of record on file with the Board of Nursing. The Notice was also sent to 85 29th Street, Apt.T-1, Newport News, Virginia 23607, a secondary address.
3. On January 21, 2012, and January 22, 2012, during the course of her employment with Blue Ridge Rehabilitation Center, Martinsville, Virginia, Ms. Kirk was observed appearing groggy and sluggish during her shifts. On January 22, 2012, Ms. Kirk’s handwriting became illegible and she was unable to read

her own handwriting. A urine drug screen was positive for oxazepam (C-IV) and alprazolam (C-IV), for which she did not have a prescription. Further, on two occasions Ms. Kirk has been admitted to the hospital for suicide attempts. On November 5, 2011, she was admitted to Memorial Hospital, Martinsville, Virginia, following an overdose of 30 Oxyelite diet pills and a mouth full of Pledge furniture polish. On July 20, 2008, she was admitted to Carilion Roanoke Memorial Hospital, Roanoke, Virginia, following an overdose of hydrocodone (C-III), Imitrex, and Flexeril (C-VI).

4. On February 21, 2012, Ms. Kirk's employment with Blue Ridge Rehabilitation Center was terminated as a result of the positive drug screen.

5. Ms. Kirk stated that these were not true suicide attempts, but a cry for help. Ms. Kirk stated that she was in an abusive relationship with her boyfriend. Ms. Kirk stated that during that time in her life she took anything that would make her sleep. She now takes melatonin for sleep.

6. Ms. Kirk stated that she attends Narcotics Anonymous meetings one to two times per week and feels that she is ready to return to work as a practical nurse. She is currently unemployed.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. Ms. Kirk shall have an evaluation by a mental health/chemical dependency specialist satisfactory to the Board and shall have a written report of the evaluation, including a diagnosis, recommended course of therapy, prognosis, and any recommendations sent to the Board within 60 days after the date that this Order is entered. Upon receipt of the required information, the Board may request that Ms. Kirk reappear before a Special Conference Committee in order to consider the specialist's recommendations and to make a final disposition of the matter.

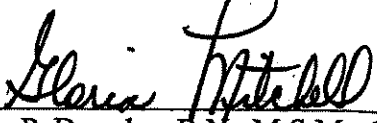
2. Ms. Kirk shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

3. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. Kirk and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this 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.

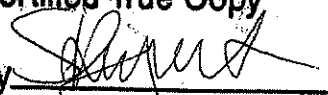
Pursuant to Section 54.1-2400(10) of the Code, Ms. Kirk may, not later than 5:00 p.m., on October 10, 2012 notify Jay P. Douglas, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:

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

ENTERED: September 7, 2012

This Order shall become final on October 10, 2012 unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 
Virginia Board of Nursing