

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

BRANDANCE N. BLANKENSHIP, R.N.

CONSENT ORDER

Pursuant to §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), an informal conference was held before a Special Conference Committee (“Committee”) of the Board of Nursing (“Board”) on February 1, 2011, in Henrico County, Virginia, to inquire into evidence that Brandance N. Blankenship, R.N., may have violated certain laws and regulations governing the practice of professional nursing in Virginia. Ms. Blankenship was present and was represented by Harrison Hubard, Esquire.

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

FINDINGS OF FACT

1. Brandance N. Blankenship, R.N., was issued License No. 0001-186651 to practice professional nursing by the Virginia Board of Nursing on August 1, 2003. Said license is set to expire on November 30, 2011. Her primary state of residence is Virginia.
2. By letter dated December 30, 2010, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Blankenship notifying her that an informal conference would be held on February 1, 2011. The Notice was sent by certified and first class mail to 595 Trail Drive, Rocky Mount, Virginia 24151, the address of record on file with the Board of Nursing. The Notice was also sent to 1401 Booker T. Washington Hwy., Rocky Mount, Virginia 24151, a secondary address.

3. During the course of her employment with Millenia Medical Staffing, while on assignment in the Emergency Department at Danville Regional Medical Center, Danville, Virginia, between May 12, 2010, and June 17, 2010, Ms. Blankenship diverted morphine and hydromorphone (both Schedule II), for her personal and unauthorized use and injected the medications while on duty. Ms. Blankenship's assignment was terminated on June 17, 2010, for refusing to submit to a urine drug screen. Her employment with Millenia Medical Staffing was terminated on June 18, 2010.

4. On October 4, 2010, Ms. Blankenship entered a Recovery Monitoring Contract with the Health Practitioners' Monitoring Program ("HPMP"), in which she acknowledged that alcohol and/or substance use disorder and mental illness may impair her ability to safely practice nursing. In a report dated January 28, 2011, the HPMP stated that Ms. Blankenship is in compliance with her Contract and was approved to return to practice on January 4, 2011.

5. Ms. Blankenship is scheduled to appear in the Circuit Court for the City of Danville, Virginia, on February 2, 2011, for obtaining drugs by fraud, as a result of the diversion from Danville Regional Medical Center. She plans to enter a plea of no contest and be placed on deferred disposition.

6. Ms. Blankenship stated that she attends Alcoholics Anonymous meetings three times a week. She has a sponsor and is working the 12 steps, and also attends Caduceus meetings. Ms. Blankenship is currently employed in a retail store.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5) and (6) of the Code of Virginia and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing.
2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code.

CONSENT

Brandance N. Blankenship, R.N., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges 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. She acknowledges that she has the following rights, among others: the right to a formal fact finding hearing before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to a formal hearing;
5. She admits to the Findings of Fact contained herein and waives her right to contest such Findings of Fact in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice professional nursing in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. Brandance N. Blankenship, R.N., is hereby REPRIMANDED.
2. License No. 0001-186651 of Brandance N. Blankenship, R.N., is INDEFINITELY SUSPENDED.
3. The license will be recorded as suspended and no longer current.
4. At such time as Ms. Blankenship shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Blankenship shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.
5. This suspension applies to any multistate privilege to practice professional nursing.

6. This suspension shall be STAYED upon continued compliance with a Recovery Monitoring Contract with the HPMP under the following terms and conditions:

a. Ms. Blankenship shall comply with all terms and conditions for the period specified by the HPMP.

b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Brandance N. Blankenship, R.N., and an administrative proceeding shall be held to determine whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:

i. Ms. Blankenship is not in compliance with the terms and conditions specified by the HPMP;

ii. Ms. Blankenship's participation in the HPMP has been terminated;

iii. There is a pending investigation or unresolved allegation against Ms. Blankenship involving a violation of law, regulation, or any term or condition of this order.

7. Upon receipt of evidence of Ms. Blankenship's participation in and successful completion of the terms specified by the HPMP, the Committee, at its discretion, may waive Ms. Blankenship's appearance before the Committee, and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

8. This Order is applicable to Ms. Blankenship's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Blankenship 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.

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

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 upon request.

FOR THE BOARD

Patricia M. Selig
Patricia M. Selig, R.N., F.N.P., Ph.D.
President, Virginia Board of Nursing

ENTERED: 3-22-11

SEEN AND AGREED TO:

Brandance N. Blankenship
Brandance N. Blankenship, R.N.

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

Subscribed and sworn to before me, Brandance Blankenship Notary Public, this 2 day of March, 2011.

My commission expires 3/31/12.

Registration Number Reg. # 353595.

Tammy D. Covey
NOTARY PUBLIC
Tammy D. Covey

Certified True Copy
By d.raham
Virginia Board of Nursing