

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: TERRY PEELEN
License Nos.: 0001-167924
0002-042898

ORDER

In accordance with Sections 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on October 27, 2005, in Henrico County, Virginia. Ms. Peelen was not present nor was she represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as agency subordinate for the Board, submitted a Recommended Decision for consideration.

On January 24, 2006, the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Peelen was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of Agency Subordinate, the Board makes the following Findings of Fact, Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Terry Peelen, was issued License No. 0001-167924 to practice professional nursing in the Commonwealth of Virginia on March 29, 2000. This license expired on January 31, 2005. Ms. Peelen was issued License No. 0002-042898 to practice practical nursing in the Commonwealth of Virginia on May 23, 1990. This license expired on January 31, 2001.
2. By letter dated September 9, 2005, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Peelen notifying her that an informal conference would be held on October 27, 2005.

The Notice was sent by certified and first class mail to 107 Saybrooke Court, Newport News, VA 23606, the address of record on file with the Board of Nursing. The Notice was also sent to 116 Tidal Drive, Newport News, VA 23606, a secondary address.

3. A certified green card signed by Ms. Peelen was received by the Board on September 19, 2005.

The Agency Subordinate determined that proper notice had been made, therefore, the informal conference convened in Ms. Peelen's absence.

4. By Order of the Board entered March 6, 2000, the Board ordered that Ms. Peelen's application for licensure by examination as a professional nurse be approved contingent upon her compliance with certain terms and conditions, to include her entry into and compliance with a Recovery Monitoring Contract with the Health Practitioners' Intervention Program ("HPIP"), pursuant to Chapter 25.1 of Title 54.1 of the Code of Virginia (1950) as amended ("Code"), and 18 VAC 76-10-10, et seq., of the Regulations Governing the HPIP. The HPIP Committee met on February 18, 2005, and heard a report that she was not in compliance with the terms of her contract with HPIP. Based on multiple instances of non-compliance, the HPIP Committee voted to dismiss Ms. Peelen from the program.

5. The HPIP representative stated that Ms. Peelen admitted to her relapse prevention group that she had been drinking wine two (2) to three (3) times per year.

6. Ms. Peelen stated to her HPIP case manager that she did not see a problem with drinking alcohol, and that she was not going to get the evaluation requested or go into treatment.

7. Ms. Peelen stated to her HPIP case manager that she was going to quit her nursing position and pursue a career in real estate.

8. Ms. Peelen did not respond to the Department of Health Professions' investigator's request for an interview.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact # 4 constitutes a violation of Section 54.1-3007(3) of the Code, and Terms No. 2 and 3(b) of the Board's Order

ORDER

WHEREFORE, having considered and adopted the recommended Findings of Fact and Conclusions of Law, it is hereby ORDERED that the right to renew License Nos. 0001-167924 and 0002-042898, issued to Terry Peelen to practice professional and practical nursing in the Commonwealth of Virginia, be, and hereby are, INDEFINITELY SUSPENDED. At such time as Ms. Peelen petitions the Board for reinstatement of her license(s), a meeting will be convened to receive evidence satisfactory to the Board that she is able to resume safe and competent practice.

Upon entry of this Order, the licenses of Terry Peelen, will be recorded as suspended and no longer current. Consistent with the terms of this Order, in the event that Ms. Peelen seeks reinstatement of her license(s), she shall be responsible for any fees that may be required for the reinstatement and renewal of her license(s) prior to issuance of her license(s) to resume practice.

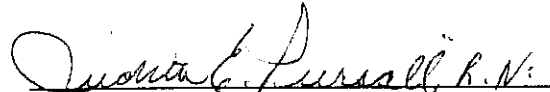
Ms. Peelen shall maintain a course of conduct in her practice of nursing commensurate with the requirements of Title 54.1, Chapter 30 of the Code and all laws of the Commonwealth.

Since Ms. Peelen failed to appear at the informal conference, this Order shall be considered final. Ms. Peelen has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Peelen has thirty (30) days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, at 6603 West Broad Street, Richmond, Virginia

23230. In the event that this decision is served by mail, three (3) days are added to that period.

Pursuant to Section 54.1-2400.2(F) of the Code, 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


Judith E. Piersall, R.N., B.S.N.
President
Virginia Board of Nursing

ENTERED: January 24, 2006

CERTIFICATE OF SERVICE

I hereby certify that a certified true copy of the foregoing Order was mailed on this day to Terry Peelen, R.N., at 116 Tidal Drive, Newport News, VA 23606, and at 107 Saybrooke Court, Newport News, VA 23606.


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

DATE: January 27, 2006

Certified True Copy

By DL 1/27/06
Virginia Board of Nursing