

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE: JANET GARDNER TOWNLEY, R.N. REINSTATEMENT APPLICANT**  
**License Number: 0001-134808**  
**Case Number: 181355**

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**ORDER**

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**JURISDICTION AND PROCEDURAL HISTORY**

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on September 21, 2017, in Henrico County, Virginia, to receive and act upon Janet G. Townley’s application for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia and to inquire into evidence that grounds may exist to deny said application.

Janet Gardner Townley, R.N., appeared at this proceeding and was not represented by legal counsel.

**NOTICE**

By letter dated August 23, 2017, the Board sent a Notice of Formal Hearing (“Notice”) to Ms. Townley notifying her that a formal administrative hearing would be held on September 21, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

**FINDINGS OF FACT**

1. On September 15, 1993, the Board issued License Number 0001-134808 to Janet Gardner Townley, R.N., to practice professional nursing in the Commonwealth of Virginia. Said license expired on October 31, 2014, and Ms. Townley’s right to renew her license was suspended by

Order of the Department of Health Professions pursuant to Virginia Code § 54.1-2409 on December 17, 2015. Her primary state of residence is Virginia.

2. On April 11, 2013, the Florida Board of Nursing suspended Ms. Townley's license to practice professional nursing in the State of Florida. This suspension formed the basis for the mandatory suspension of her Virginia license by the Department of Health Professions.

3. As found by the Florida Board of Nursing in its Order of April 11, 2013, Ms. Townley appeared for her shift at a Florida healthcare and rehabilitation facility in an intoxicated condition on June 26, 2012. The Florida Board found that she admitted to consuming alcohol and Xanax (alprazolam, C-IV) before being driven to work by family members.

4. Following the incident in which she appeared for her shift in an intoxicated condition, Ms. Townley entered into a monitoring agreement with the Florida Intervention Project for Nurses ("IPN"). Ms. Townley agreed to attend Alcoholics Anonymous / Narcotics Anonymous meetings and participate in individual therapy and medication management, among other terms. She was dismissed from the IPN on May 15, 2013, due to failure to comply with the terms of her monitoring agreement.

5. Ms. Townley last practiced nursing in June 2012.

6. Pursuant to an evaluation conducted in September 2012, a specialist in addiction medicine opined that Ms. Townley was not able to practice nursing with reasonable skill and safety due to her alcohol abuse and recommended that she enter into an intensive outpatient chemical dependent treatment program, stop taking Xanax and tramadol, and enter a monitoring program.

7. Ms. Townley testified that she withdrew from the Florida IPN because she was on the verge of retiring and did not wish to participate in the IPN for five years.

8. Ms. Townley testified that she last drank alcohol six months prior to the hearing, that she last took tramadol three months prior, and that she last took anti-anxiety medication three months prior. She stated that she does not attend AA/NA meetings or counseling or therapy.

9. Ms. Townley said she had taken nursing continuing education courses but did not provide evidence of the same.

10. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Townley's health records or health services.

### **CONCLUSIONS OF LAW**

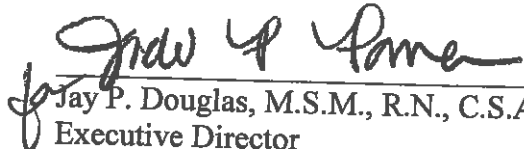
1. Finding of Fact No. 2 constitutes a violation of Virginia Code § 54.1-3007(7).
2. Finding of Fact No. 3 constitutes a violation of Virginia Code § 54.1-3007(5) and (6).
3. Finding of Fact No. 4 constitutes a violation of Virginia Code § 54.1-3007(6).
4. Ms. Townley has not demonstrated that she is prepared to resume the safe and competent practice of professional nursing.

### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS that the application of Janet Gardner Townley, R.N., for reinstatement of her license to practice professional nursing is DENIED. Further, it is ORDERED that the license be CONTINUED on INDEFINITE SUSPENSION for a period of not less than one year. Should she petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether Ms. Townley is able to return to the safe and competent practice of nursing. Ms. Townley shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.

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

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

ENTERED AND MAILED ON:

October 3, 2017

**NOTICE OF RIGHT TO APPEAL**

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy

By   
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Virginia Board Of Nursing