

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: MICHELLE KUHNI, R.N. REINSTATEMENT APPLICANT
License No.: 0001-099727

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 October 8, 2013, in Henrico County, Virginia, to receive and act upon Michelle Kuhni’s application for reinstatement of her license to practice professional nursing in Virginia and to inquire into evidence that Ms. Kuhni may have violated certain laws governing nursing practice. Ms. Kuhni 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. Michelle Kuhni, R.N., was issued License No. 0001-0099727 to practice professional nursing in the Commonwealth of Virginia on December 18, 1985. Said license was suspended by Order of the Board entered on September 21, 1995. Ms. Kuhni’s primary state of residence is Pennsylvania.
2. Ms. Kuhni submitted an application for reinstatement of her license to practice professional nursing which was received by the Board on February 12, 2013.
3. By letter dated September 13, 2013, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Kuhni notifying her that an informal conference would be held on October 8, 2013. The Notice was sent by certified and first class mail to 123 Mulberry Lane, Monaca, Pennsylvania 15061, the address of record on file with the Board of Nursing.

4. On her application for reinstatement received on February 12, 2013, Ms. Kuhni answered “YES” to the question “Do you have a mental, physical or chemical dependency condition which could interfere with your current ability to practice nursing?” Ms. Kuhni has an admitted substance abuse history.

5. On August 3, 2004, Ms. Kuhni’s license to practice professional nursing in Pennsylvania was suspended by the Pennsylvania Board of Nursing. On January 3, 2013, her license was reinstated and she was placed on probation for a period of not less than three years. Further, Ms. Kuhni was ordered to take and pass the NCLEX-RN examination.

6. Ms. Kuhni reported that her date of sobriety was September 2, 2008. She attends Narcotics Anonymous two to three times a week and has a sponsor who has just celebrated 35 years of sobriety. Ms. Kuhni stated that she is currently working on Step 8. Ms. Kuhni stated that she wants to be clean more than she wants to use, and relies heavily on her support group.

7. Ms. Kuhni voluntarily entered the Pennsylvania Nurse Peer Assistance Program (“PNAP”) on October 26, 2011. She provided a letter from her PNAP case manager who stated that all of Ms. Kuhni’s urine drug screens have been negative. Ms. Kuhni will be in the program until approximately 2016.

8. Ms. Kuhni reported that prior to coming into the informal conference, she had received word from her husband that she passed the NCLEX-RN examination.

9. Ms. Kuhni stated that she has no plans to practice professional nursing in Virginia. She has been employed as a pre-kindergarten teacher for the last 11 years, but is considering returning to school so that she can help others who suffer with substance abuse.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code
2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(7) of the Code.

3. Ms. Kuhni otherwise meets the requirements for reinstatement of her license to practice professional nursing in Virginia.

ORDER

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

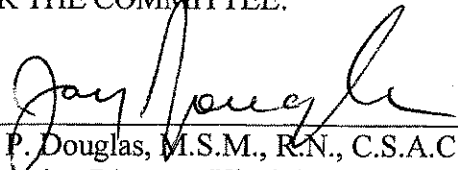
1. The application of Michelle Kuhni for reinstatement of her license to practice professional nursing is APPROVED. Ms. Kuhni shall be issued a single-state Virginia license.

2. Ms. Kuhni 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.

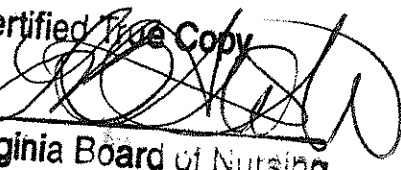
Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying on request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Kuhni may, not later than 5:00 p.m., on **December 2, 2013**, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., 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:



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

Certified True Copy
By 
Virginia Board of Nursing

ENTERED: _____

October 30th, 2013

This Order shall become final on **December 2, 2013**, unless a request for a formal administrative hearing is received as described above.