

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: MICHELLE KUHNI, R.N.

CONSENT ORDER

The Virginia Board of Nursing (the "Board") and Michelle Kuhni, R.N., enter into the following Consent Order affecting Ms. Kuhni's license to practice as a professional nurse.

FINDINGS OF FACT

1. Michelle Kuhni, R.N., holds License No. 0001-099727 issued by the Virginia Board of Nursing.
2. During the course of Ms. Kuhni's employment with Williamsburg Community Hospital, Williamsburg, Virginia:
 - a. Between approximately January 1995, and July 14, 1995, by her own admission, Ms. Kuhni diverted various amounts of divers controlled substances, to include: meperidine and Morphine, Schedule II controlled substances, and Stadol, a Schedule VI controlled substance, for her personal and unauthorized use. This diversion was accomplished by means of cancellation of entries on Pyxis machines, removal of medications from the Pyxis, and subsequent adulteration of the medications.
 - b. On July 14, 1995, Ms. Kuhni submitted to a witnessed urine drug screen; she advised the witness to this screen that the results would be positive for marijuana.
 - c. On July 14, 1995, Ms. Kuhni's employment was terminated based on these incidents.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2) and (5) of the Code of Virginia (1950), as amended, and § 4.1A(2)(c) of the Board of Nursing Regulations.

CONSENT

Michelle Kuhni, R.N., by affixing her signature hereon, agrees to the following:

1. She acknowledges that she has been specifically advised to seek advice of counsel prior to signing this document;

2. She acknowledges that she is fully aware that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 9-6.14:1, et seq., of the Code of Virginia (1950), as amended;

3. She acknowledges that she has the following rights among others: the right to a formal administrative hearing before the Board, to reasonable notice of said administrative proceeding, to representation by counsel, and the right to present witnesses and evidence on her behalf;

4. She waives all such right to a formal administrative hearing;

5. She admits to the above Findings of Fact;

6. She consents to the entry of the following Order affecting her license to practice professional nursing in the Commonwealth of Virginia.

ORDER

On the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS that License No. 0001-099727 issued to Michelle Kuhni, to practice professional nursing in the Commonwealth of Virginia, be and hereby is INDEFINITELY SUSPENDED. At such time as she shall petition the Board for reinstatement of her license, a formal hearing will be convened to receive evidence satisfactory to the Board that she is capable of resuming the safe and competent practice of nursing.

Pursuant to § 9-6.14:14 of the Code of Virginia (1950), as amended, 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 inspections or copying on request.

FOR THE BOARD

Corinne F. Dorsey
Corinne F. Dorsey, R.N.
Executive Director

ENTERED: September 21, 1995

SEEN AND AGREED TO:

Michelle Kuhni
Michelle Kuhni, R.N.

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF AT LARGE

Subscribed and sworn to before me, a Notary Public in and for the city/county of HANOVER, this 4th day of AUGUST, 1995, by Michelle Kuhni, R.N.

Bruce P. Donohoe
Notary Public

My Commission Expires: 5-30-97

RECEIVED: Sept 22, 1995

BY: John W. Hasty
John W. Hasty, Director
Department of Health Professions