

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: KRISTEN SCARBROUGH, L.P.N.
License No.: 0002-066350**

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 August 11, 2015, in Henrico County, Virginia, to inquire into evidence that Kristen Scarbrough, L.P.N., may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Scarbrough 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. Kristen Scarbrough, L.P.N., was issued License No. 0002-066350 to practice practical nursing in the Commonwealth of Virginia on June 3, 2003. Said license expires on March 31, 2016. Ms. Scarbrough’s primary state of residence is Virginia.
2. By letter dated July 9, 2015, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Scarbrough notifying her that an informal conference would be held on August 11, 2015. The Notice was sent by certified and first class mail to 43 Morris Mill Road, Staunton, Virginia 24401, the address of record on file with the Board of Nursing.
3. Between June 2014, and October 10, 2014, during the course of her employment with Middle River Regional Jail, Staunton, Virginia:
 - a. Ms. Scarbrough failed to document Inmate A’s blood pressures in his medical file.

b. Ms. Scarbrough entered into a relationship with Inmate A that constitutes a professional boundary violation. She set up a post office box, using a fictitious name so that she and Inmate A could exchange letters. Further, on October 3, 2014, Ms. Scarbrough deposited \$100.00 in Inmate A's commissary account.

4. Ms. Scarbrough stated that she did not think that she was crossing any professional boundaries when she began a friendship with Inmate A. She stated that she knew she was violating the facility's policy.

5. Ms. Scarbrough was allowed to resign her position with Middle River Regional Jail in lieu of termination.

6. Ms. Scarbrough stated that she is still friends with Inmate A. She stated that she still writes to him and visits him in prison. Inmate A will remain in prison for ten years.

7. Ms. Scarbrough stated that she still would like to work as a nurse. She stated that she was currently working in a factory through a temp agency.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3(a) constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(e) and (f) of the Regulations Governing the Practice of Nursing ("Regulations").

2. Finding of Fact No. 3(b) constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(1) of the Regulations.

ORDER

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

1. Kristen Scarbrough, L.P.N., is hereby REPRIMANDED.
2. Ms. Scarbrough shall provide the Board with verification that she has completed the following NCSBN online courses: *Documentation: A Critical Aspect of Client Care*; *Professional*

Accountability & Legal Liability for Nurses; Professional Boundaries in Nursing; and Ethics of Nursing Practice within 60 days of the date this Order is entered. These courses shall not be credited toward the continued competency requirements for the next renewal of her license.

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

4. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. Scarbrough and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

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. Scarbrough may, not later than 5:00 p.m., on October 6, 2015, 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:

Gloria Mitchell-Lively
for Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director, Virginia Board of Nursing

ENTERED: September 3, 2015

This Order shall become final on October 6, 2015; unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By *D. Soter*
Virginia Board of Nursing