

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: BRANDY R. BEASLEY, L.P.N. REINSTATEMENT APPLICANT
License No.: 0002-066320

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 5, 2015, in Henrico County, Virginia, to receive and act upon the application of Brandy R. Beasley for reinstatement of her license to practice practical nursing in Virginia and to inquire into evidence that Ms. Beasley may have violated certain laws governing practical nursing practice. Ms. Beasley was present and was not represented by legal counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Brandy R. Beasley was issued License No. 0002-066320 to practice practical nursing in the Commonwealth of Virginia on May 29, 2003. Said license was suspended by Order of the Board entered on April 9, 2012. Said action was based on findings that Ms. Beasley was impaired while on duty and tested positive for heroin, morphine and hydrocodone. Her primary state of residence is Virginia.

2. By letter dated July 7, 2015, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Beasley notifying her that an informal conference would be held on August 5, 2015. The Notice was sent by certified and first class mail to 2020 Ashpone Tavern Road, Rocky Mount, Virginia, the address of record on file with the Board of Nursing.

3. Ms. Beasley submitted an application for reinstatement of her license to practice practical nursing which was received by the Board on January 12, 2015.

4. On November 30, 2012, in the Circuit Court of Franklin County, Virginia:
 - a. Ms. Beasley was convicted of felony child abuse/neglect. She was sentenced to five years incarceration, suspended, placed on probation for five years and ordered to pay court costs.
 - b. Ms. Beasley was convicted of felony possession of heroin. She was sentenced to ten years incarceration, suspended, placed on probation for five years and ordered to pay court costs.
5. On March 9, 2015, Ms. Beasley's probation officer reported that Ms. Beasley was in compliance and that she had paid all court costs and fines and was eligible for early release in June or July 2015. Ms. Beasley reported that she was released from probation in June 2015.
6. On December 4, 2013, Ms. Beasley completed a 12-month residential substance abuse treatment program which included individual counseling. Ms. Beasley is prescribed mental health medication; however, she is not participating in individual counseling.
7. Ms. Beasley entered a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") on July 23, 2015. Ms. Beasley reported that she had a substance abuse evaluation conducted on August 3, 2015, by Hannah Lloyd, C.S.A.C., and is awaiting the evaluator's recommendations. Ms. Beasley reported a sobriety date of September 13, 2012.
8. Ms. Beasley demonstrated remorse and responsibility for her actions. She has regained joint custody of her children and has a strong support network.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4(a) constitutes a violation of § 54.1-3007(4) of the Code.
2. Finding of Fact No. 4(b) constitutes a violation of § 54.1-3007(4) and (6) of the Code.
3. Findings of Fact Nos. 6 and 7 constitute a violation of § 54.1-3007(6) of the Code.
4. The Committee concludes that Ms. Beasley has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner, with certain restrictions.

ORDER

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


1. The license of Brandy R. Beasley to practice practical nursing is hereby REINSTATED.
2. Ms. Beasley shall continue to comply with all terms and conditions of the HPMP for the period specified by the HPMP.
3. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Beasley, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Beasley shall be noticed to appear before the Board at such time as the Board is notified that:
 - a. Ms. Beasley is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
 - b. There is a pending investigation or unresolved allegation against Ms. Beasley involving a violation of law or regulation or any term or condition of this Order; or
 - c. Ms. Beasley has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Beasley's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Beasley's appearance before the Board and conduct an administrative review of this matter.
4. This order shall be applicable to Ms. Beasley's multistate licensure privilege, if any, to practice practical nursing. For the duration of this Order, Ms. Beasley shall not work outside the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where she wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

5. Ms. Beasley 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.

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. Beasley may, not later than 5:00 p.m., on **September 30, 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:



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

ENTERED: August 28th, 2015

This Order shall become final on **September 30, 2015**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By: 
Virginia Board of Nursing