

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: KRISTIN BOLEY, R.N. REINSTATEMENT APPLICANT**  
**License No.: 0001-192349**

**ORDER**

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on May 20, 2015, in Henrico County, Virginia, to receive and act upon Kristin Boley's application for reinstatement of her license to practice professional nursing in Virginia and to inquire into evidence that Ms. Boley may have violated certain laws and regulations governing nursing practice in Virginia. The case was presented by Cynthia E. Gaines, Adjudication Specialist, Administrative Proceedings Division. Charis Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Boley was not present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. Kristin Boley, R.N., was issued License No. 0001-192349 to practice professional nursing in the Commonwealth of Virginia on August 24, 2004. Said license was summarily suspended by Order of the Board entered on July 10, 2014. By Order of the Board entered August 8, 2014, Ms. Boley's license to practice professional nursing was indefinitely suspended. Ms. Boley's primary state of residence is Virginia.
2. Based upon the representations of Cynthia E. Gaines, Adjudication Specialist, and Commonwealth's Exhibit No. 1, the Notice of Formal Hearing and Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in her absence.
3. Ms. Boley submitted an application for reinstatement of her license to practice professional nursing which was received by the Board on September 9, 2014.

4. Ms. Boley submitted a fraudulent letter purportedly written by a physician in conjunction with her application for reinstatement of her license.

5. The physician, whose letterhead was used for the fraudulent letter, denied that the letter was generated from his office. He stated to the investigator for the Department of Health Professions that he spoke to all of his staff, and no one had knowledge of the letter and the letter was not included in Ms. Boley's file. The physician stated that he would not have been able to use verbiage such as "psychologically cleared." The physician stated that the last time that he saw Ms. Boley, "she was good for about two minutes and then she went on a tangent outside of reality."

6. At the hearing the physician testified that he did not believe that Ms. Boley is safe to practice.

#### CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(n) of the Regulations Governing the Practice of Nursing.

2. Ms. Boley has not demonstrated that she is safe and competent to resume the practice of nursing.

#### ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:


1. The application of Kristin Boley for reinstatement of License No. 0001-192349 to practice professional nursing in the Commonwealth of Virginia is hereby DENIED. Further, it is hereby ORDERED that the license of Ms. Boley be CONTINUED on INDEFINITE SUSPENSION for a period of not less than two years. At such time as she shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of professional nursing.

2. The license shall be recorded as suspended. Should Ms. Boley seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license privilege prior to issuance of her license to resume practice.

3. This Order shall be applicable to Ms. Boley's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia.

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.

FOR THE BOARD

  
for Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director  
Virginia Board of Nursing

  
ENTERED

**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, R.N., M.S.M., C.S.A.C., 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   
Virginia Board Of Nursing