

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: JULIA CUMMINGS, L.P.N.
License No.:0002-089769

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on February 24, 2015, in Henrico County, Virginia. Julia Cummings, L.P.N., was present and was not represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On May 20, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Cummings was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Julia Cummings, L.P.N., was issued License No. 0002-089769 to practice practical nursing in Virginia on September 17, 2013. The license is scheduled to expire on October 31, 2015. Ms. Cummings' primary stated of residence is Virginia.
2. By letter dated February 7, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Cummings notifying her that an informal conference would be held on February 24, 2015. The Notice was sent by certified and first class mail to 116 E. Osborne Road, Farmville, Virginia 23901, the address of record on file with the Board of Nursing.
3. By her own admission, Ms. Cummings abused heroin and methadone, and became

addicted to Benadryl (C-VI). Further, on May 11, 2014, Ms. Cummings was admitted to CJW Medical Center, Tucker Pavilion, Richmond, Virginia, and diagnosed with major depressive disorder.

4. Ms. Cummings stated at the informal conference that she was currently prescribed Prozac and Wellbutrin by a provider that she thought was her Primary Care Physician.

5. Ms. Cummings stated she was currently unemployed, but that she had a job interview on Thursday, February 26, 2015. Ms. Cummings stated that she could not remember the name of the facility. When questioned further about her job interview, Ms. Cummings stated that she might not go to the interview because she was told that she had to take a math test, and she was not good at math.

6. Ms. Cummings stated that she was not currently in any type of counseling, but that she had an individual with Crossroads Community Services Board assisting her in obtaining medical insurance.

7. During the informal conference Ms. Cummings was unable to answer questions in a direct and coherent manner. When questioned about her inability to remember certain facts, she admitted that she was having cognitive memory issues.

8. Ms. Cummings stated that she last worked as a nurse on November 13, 2014. Ms. Cummings stated that she was terminated from The Virginia Center for Behavioral Rehabilitation after five months of employment for attendance issues.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of § 54.1-36007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. License No. 0002-089769 of Julia Cummings to practice practical nursing is INDEFINITELY SUSPENDED.

2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Cummings shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of practical nursing. Ms. Cummings shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.
4. This suspension applies to any multistate privilege to practice practical nursing.

Pursuant to § 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 a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Cummings may, not later than 5:00 p.m., on June 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 he/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 BOARD,

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

ENTERED: *May 27, 2015*

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

Certified True Copy

By *[Signature]*
Virginia Board of Nursing