



COMMONWEALTH of VIRGINIA

Sandra Whitley Ryals
Director

Department of Health Professions
6603 West Broad Street, 5th Floor
Richmond, Virginia 23230-1712

www.dhp.virginia.gov
TEL (804) 662 9900
FAX (804) 662 9943
TDD (804) 662 7197

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

Board of Nursing (804) 662-9909
Nurse Aide Registry (804) 662-7310
FAX (804) 662-9512

March 5, 2007

Jennifer D. Presley, R.N.
763 Canterbury Dr., N.W.
Ruther Glen, VA 22546

CERTIFIED MAIL
71603901984942359345

Dear Ms. Presley:

Enclosed is a certified true copy of the Consent Order entered by the Virginia Board of Nursing which Takes No Action against your professional nursing license contingent upon compliance with certain terms and conditions.

Please return both the large and small sections of your license to the Board office within ten (10) days of receipt of this letter. Upon receipt of your old license and the expiration of the thirty-three (33) day wait period, the Board will issue you a license marked, "**VALID IN VIRGINIA ONLY**". Any request for out of state employment must be made in writing and approved by the Health Practitioners Intervention Program, the Executive Director of the Virginia Board of Nursing and the Board of Nursing in the party state you wish to practice.

This Order will be forwarded to Ann Tiller, Compliance Manager for the Department of Health Professions. Ms. Tiller will assign you a Case Manager to monitor your compliance with the terms of the Order on behalf of the Board. Please direct all questions, documents, and correspondence related to your compliance with your Order to your assigned Case Manager at (804) 662-9510 or in care of the Compliance Unit, Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia 23230-1712.

Should you have any questions please contact this office at (804) 662-9909.

Sincerely,

Gloria D. Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director, Discipline

Enclosure

cc: Sandra W. Ryals, Director, Department of Health Professions
Anne G. Joseph, Deputy Director, Administrative Proceedings Division
James Banning, Director, Administrator Proceeding Division
Ann S. Hardy, R.N., M.S.N., Investigator (103199)
Ann L. Tiller, Compliance Manager
M.L. Goodman, Esquire

Board of Audiology & Speech - Language Pathology - Board of Counseling - Board of Dentistry - Board of Funeral Directors & Embalmers
Board of Long-Term Care Administrators - Board of Medicine - Board of Nursing - Board of Optometry - Board of Pharmacy
Board of Physical Therapy - Board of Psychology - Board of Social Work - Board of Veterinary Medicine
Board of Health Professions

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

JENNIFER D. PRESLEY, R.N.

CONSENT ORDER

The Virginia Board of Nursing (“Board”) and Jennifer D. Presley, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Presley’s license to practice nursing.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Jennifer D. Presley, R.N., was issued License No. 0001-110948 to practice nursing by the Virginia Board of Nursing on August 23, 1988. Said license is set to expire on June 30, 2008, unless renewed.

2. On January 29, 1992, Ms. Presley entered into a Consent Order with the Board of Nursing placing her license on probation based on alcohol abuse. Ms. Presley successfully completed probation in 1994.

3. Ms. Presley is in violation of § 54.1-3007(6) of the Code of Virginia (1950), as amended (“Code”) in that, by her own admission, she has a history of alcoholism for almost 20 years that has resulted in multiple admissions for alcohol treatment between approximately 1987 and her most recent inpatient treatment, from which she was discharged in December 2006.

4. Ms. Presley is in violation of § 54.1-3007(4) of the Code in that, on or about April 9, 2005, she was arrested for stealing an 18-pack of beer from a convenience store. As a result, on July 15, 2005, Ms. Presley was convicted of misdemeanor petit larceny in the General District Court of Caroline County, Virginia.

5. On January 27, 2007, Ms. Presley entered into a Recovery Monitoring Contract with the Health Practitioners’ Intervention Program (“HPIP”) pursuant to Chapter 25.1 of Title 54.1 of the Code and

18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPIP. Ms. Presley is in compliance with her HPIP Contract.

CONSENT

Jennifer D. Presley, R.N., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said conference, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She neither admits nor denies the Findings of Fact contained herein and waives her right to contest such Findings of Fact in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice nursing in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

The Board shall TAKE NO ACTION at this time, contingent upon Ms. Presley's compliance with all terms and conditions of the Recovery Monitoring Contract ("Contract") with the HPIP for the period specified in the Contract.

Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Jennifer D. Presley, R.N., and an administrative proceeding shall be held to decide whether her license

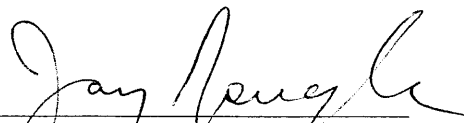
should be revoked. Ms. Presley shall be noticed to appear before the Board at such time as the Board is notified that:

- a. She is not in compliance with the terms and conditions of the HPIP, or has been terminated from participation in the HPIP;
- b. There is a pending investigation or unresolved allegation against her involving a violation of law or regulation or any term or condition of probation or this Order; or
- c. She has successfully completed the above-referenced period of participation in the HPIP. However, upon receipt of Ms. Presley's participation in and compliance with the HPIP, the Board, at its discretion, may waive Ms. Presley's appearance before the Board and close the matter without further action.

Ms. Presley shall maintain a course of conduct in her capacity as a professional 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 upon request.

FOR THE BOARD



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

ENTERED: 3/5/07

SEEN AND AGREED TO:

Jennifer Presley RN
Jennifer D. Presley, R.N.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Caroline, TO WIT:

Subscribed and sworn to before me, NANCY J. BARNETT, a Notary Public, this 21st day of February, 2007.

My commission expires Dec. 31, 2009.

Nancy J. Barnett
NOTARY PUBLIC