

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: JENNIFER BEAVERS, L.P.N. REINSTATEMENT APPLICANT  
License No.: 0002-080040**

**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 January 28, 2015, in Henrico County, Virginia, to receive and act upon Jennifer Beavers' application for reinstatement of her license to practice practical nursing in Virginia, which was mandatorily suspended by Order of the Department of Health Professions entered July 1, 2010, and to inquire into evidence that Ms. Beavers 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. Beavers was 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. Jennifer Beavers, L.P.N., was issued License No. 0002-080040 to practice practical nursing in the Commonwealth of Virginia on March 31, 2009. Said license was mandatorily suspended pursuant to § 54.1-2409 of the Code by Order of the Department of Health Professions entered on July 1, 2010. Ms. Beavers' primary state of residence is Virginia.
2. Ms. Beavers submitted an application for reinstatement of her license to practice practical nursing, which was received by the Board on October 9, 2014.
3. On May 3, 2010, Ms. Beavers was convicted of one misdemeanor count of obtain money by

false pretense, and one misdemeanor count of credit card fraud. On May 7, 2010, Ms. Beavers was convicted of one felony count of credit card forgery in the Circuit Court of Washington County, Virginia. This felony conviction was the basis of the mandatory suspension of her nursing license.

4. On November 19, 2010, Ms. Beavers was convicted of five felony counts of check forgery, five felony counts of utter forged check, four felony counts of conspire to forge check, five felony counts of obtain by false pretense, five felony counts of conspire to obtain by false pretense, five felony counts of conspire to utter forged check, and one felony count of conspire to commit forgery in the Circuit Court of Russell County, Virginia.

5. In late December 2009, during the course of her employment with Interim Healthcare, Tazewell, Virginia, by her own admission, Ms. Beavers stole a client's credit card to make personal and unauthorized purchases. Ms. Beavers' actions resulted in her 2010 convictions in the Circuit Court of Washington County.

6. By her own admission, Ms. Beavers "dabbled" in crystal meth and obtained Oxycontin (oxycodone, C-II) from street dealers and one of her home health clients. Ms. Beavers admitted to using Oxycontin while practicing. Ms. Beavers admitted that she began using Adderall (C-II) intravenously in 2009. Further by her own admission, Ms. Beavers has been diagnosed with depression and anxiety.

7. Ms. Beavers testified that she does not attend any Narcotics Anonymous or Alcoholics Anonymous meetings and does not have a sponsor. She stated that she has not gone through the Steps.

8. Evidence revealed that Ms. Beavers is on court-ordered probation through June 2016, and she continues to pay restitution for her convictions.

9. Ms. Beavers testified that she does not know how she would react if she was working with prescription drugs, particularly those that were her drugs of choice, such as Oxycontin.

10. At the hearing, Ms. Beavers told the Board that without medical supervision, she has weaned herself off the medications that she was prescribed for her mental health issues. When asked whether she

was receiving any treatment regarding her mental health, Ms. Beavers stated she is not receiving any treatment.

11. Ms. Beavers has not practiced practical nursing since December 2009, and had not attended any refresher courses. She presented evidence of five hours of continuing education.

### CONCLUSIONS OF LAW

The Board concludes that:

1. Findings of Fact Nos. 3 and 4 constitute a violation of § 54.1-3007(4) of the Code.
2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(k) of the Regulations Governing the Practice of Nursing.
3. Finding of Fact No. 6 constitutes a violation of § 54.1-3007(6) of the Code.

### ORDER

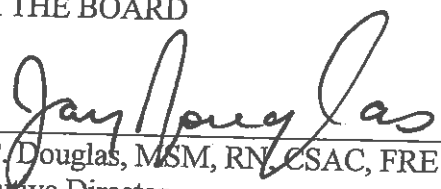
WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. The application of Jennifer Beavers for reinstatement of License No. 0002-080040 to practice practical nursing in the Commonwealth of Virginia is hereby DENIED, due to a failure to obtain the affirmative vote for reinstatement of three-fourths of the members of the Board at the hearing. Further, it is hereby ORDERED that the license of Ms. Beavers be CONTINUED on INDEFINITE SUSPENSION. 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 practical nursing.
2. The license shall be recorded as suspended.
3. Should Ms. Beavers 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 prior to issuance of her license to resume practice.

4. This Order shall be applicable to Ms. Beavers' multistate licensure privileges, if any, to practice practical nursing.

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

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

March 4<sup>th</sup> 2015  
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, MSM, RN, CSAC, FRE, 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   
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Virginia Board Of Nursing