



COMMONWEALTH of VIRGINIA

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Director

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

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June 22, 2007

Jenny Kunkle, R.N.
3 Ballast Ct.
Portsmouth, VA 23703

CERTIFIED MAIL
71603901984990862187

Dear Ms. Kunkle:

Enclosed is a certified true copy of the 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,

A handwritten signature in cursive script that reads "Gloria D. Mitchell".

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
Peter Opper, Adjudication Specialist
Kim Martin, Senior Investigator (Case no. 111431)
Ann L. Tiller, Compliance Manager
Cindy Billups, Esquire

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

JENNY KUNKLE, R.N.

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 June 6, 2007, in Henrico County, Virginia, to inquire into evidence that Ms. Kunkle may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Kunkle was present and was represented by Cindy Billups, Esquire.

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

FINDINGS OF FACT

1. Jenny Kunkle was issued License No. 0001-153646 to practice professional nursing in the Commonwealth of Virginia on June 16, 1997. Said license is current.
2. Ms. Kunkle admitted to an investigator for the Department of Health Professions in an interview on October 27, 2006, that she took too much pain medication, had developed a dependence on pain medication, and had attended outpatient substance abuse treatment. At the informal conference, Ms. Kunkle acknowledged an addiction to narcotic pain medication.
3. Ms. Kunkle entered Williamsburg Place for inpatient substance abuse treatment on May 9, 2007, with a discharge date of June 7, 2007. She was scheduled to enter two additional months of inpatient treatment at the William Farley Center thereafter.
4. Ms. Kunkle signed a Participation Contract with the Health Practitioners’ Intervention Program (“HPIP”) on May 31, 2007.

5. Ms. Kunkle presented excellent performance evaluations and references.

6. No patient harm or diversion of drugs resulted from Ms. Kunkle's addiction to pain medication.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(6) of the Code..

2. Ms. Kunkle is properly enrolled in the Health Practitioners' Intervention Program.

ORDER

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

1. The Committee shall TAKE NO ACTION at this time, contingent upon Ms. Kunkle's continued compliance with the HPIP, including entering into a Recovery Monitoring Contract ("Contract") when recommended by the HPIP and complying with all terms and conditions of the Contract with the HPIP for the period specified in the Contract.

2. This Order shall be applicable to Ms. Kunkle's multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Kunkle 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 Ms. Kunkle wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

3. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Kunkle, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Kunkle 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 Ms. Kunkle involving a violation of law or regulation or any term or condition of this Order; or

c. Ms. Kunkle has successfully completed the above-referenced period of participation in the HPIP. However, upon receipt of Ms. Kunkle's participation in and compliance with the HPIP, the Board, at its discretion, may waive Ms. Kunkle's appearance before the Board and conduct an administrative review of this matter.

4. Ms. Kunkle 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.

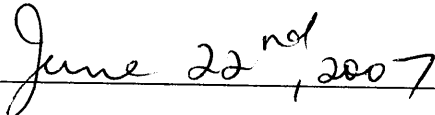
Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying on request.

FOR THE COMMITTEE



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

ENTERED:




NOTICE OF RIGHT TO FORMAL HEARING

If you do not consent to the Committee's decision and desire a hearing before the Board or a panel thereof, you shall notify, in writing, the Executive Director of the Board of Nursing, 6603 West Broad Street,

Fifth Floor, Richmond, Virginia 23230-1717, within 33 days of the date of entry of this Order. This Order shall become final upon expiration of the 33-day period unless a request for a formal hearing is received within such time. Upon receiving a timely request for a hearing, this Order shall be vacated and the Board or a panel thereof shall proceed with a hearing as provided in § 2.2-4020 *et seq.* of the Code.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Order was mailed, by certified and regular mail, this day to Jenny Kunkle at 3 Ballast Court, Portsmouth, VA 23703, and to Cindy Billups, Esq., 411 Cedar Road, Chesapeake, VA 23322.



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

Date June 22, 2007