

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: ANDREW H. GORSKI, R.N
License No.: 0001-234410

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 March 21, 2016, in Henrico County, Virginia, to inquire into evidence that Andrew H. Gorski, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia. The case was presented by David W. Kazzie, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Mr. Gorski 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. Andrew Gorski, R.N., was issued License No. 0001-234410 to practice professional nursing by the Virginia Board of Nursing on November 2, 2011. Said license expired on October 31, 2015. Mr. Gorski's primary state of residence is Virginia.
2. Based upon the representations of Mr. Kazzie and Commonwealth's Exhibits #1 and #2, 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 his absence.
3. During the course of his employment with Virginia School for Nurse Aides, where he worked as an instructor, in December 2014, Mr. Gorski administered influenza vaccine belonging to another employer, Health Solutions, to three students without authorization.
4. Mr. Gorski administered the influenza vaccine to the three students despite his supervisor

explicitly telling him not to do so.

5. Mr. Gorski's employer observed, via surveillance video, Mr. Gorski consuming alcohol on school premises while he was on duty. Mr. Gorski admitted to occasionally drinking alcohol while doing clerical work at the job.

6. Mr. Gorski's employment with Virginia School for Nurse Aides was terminated.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(a) and (c) of the Regulations Governing the Practice of Nursing.
2. Finding of Fact No. 5 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 right of Andrew H. Gorski, R.N., to renew License No. 0001-234410 to practice professional nursing in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED for a period of not less than one year.
2. The license of Mr. Gorski will be recorded as SUSPENDED. Should Mr. Gorski seek reinstatement of his license consistent with this Order, he shall be responsible for any fees that may be required for the reinstatement of his license prior to issuance of his license to resume practice.
3. At such time as Mr. Gorski shall petition the Board for reinstatement of his, a hearing will be convened to determine whether he is able to return to the safe and competent practice of professional nursing.
4. This Order shall be applicable to Mr. Gorski's multistate licensure privileges, if any, to practice professional 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

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

April 20, 2016
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 *Abraham*
Virginia Board Of Nursing