

2. By letter dated July 13, 2011, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. McNulty notifying her that an informal conference would be held on August 17, 2011. The Notice was sent by certified and first class mail to 5118 Vinter Drive, Apt. 208-3, Richmond, Virginia 23234-4696, the address of record on file with the Board of Nursing. The Notice was also sent to 2601 Perdue Spring Drive, Chester, Virginia 23831, a secondary address.

3. At the informal conference, Ms. McNulty reported a history of depression and alcohol abuse. She stated that she was not under the care of a physician. Furthermore, she does not attend face-to-face Alcoholics Anonymous meetings, nor does she have a sponsor that she meets face-to-face. However, Ms. McNulty did submit a letter from her physician dated December 27, 2010, which indicated that she was currently stable. Ms. McNulty is currently unemployed.

CONCLUSIONS OF LAW

The Board concludes that:

1. Based on the above Findings of Fact, the Committee concludes that Patricia McNulty is a candidate for the Health Practitioners’ Monitoring Program (“HPMP”).
2. Ms. McNulty otherwise meets the requirements of § 54.1-3018 of the Code.

ORDER

WHEREFORE, it is hereby ORDERED that:

1. The application of Patricia McNulty for licensure by endorsement is hereby APPROVED, contingent upon Ms. McNulty’s entry into the Health Practitioners’ Monitoring Program (“HPMP”), pursuant to § 54.1-2515 *et seq.* of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPMP, and shall have proof of entry into a Contract with the HPMP provided to the Board within 30 days of the date this Order is entered.
2. This order shall be applicable to Ms. McNulty’s multistate licensure privilege, if any, to

practice professional in the Commonwealth of Virginia. For the duration of this Order, Ms. McNulty 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. McNulty 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. McNulty, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. McNulty shall be noticed to appear before the Board at such time as the Board is notified that:

a. Ms. McNulty is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;

b. There is a pending investigation or unresolved allegation against Ms. McNulty involving a violation of law or regulation or any term or condition of this Order; or

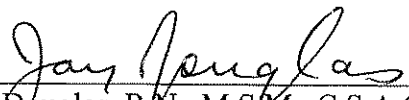
c. Ms. McNulty has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. McNulty's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. McNulty's appearance before the Board and conduct an administrative review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

4. Ms. McNulty 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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. McNulty may, not later than 5:00 p.m., on October 26, 2011, notify Jay P. Douglas, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that 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:



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

ENTERED: September 23 RD, 2011

This Order shall become final on October 26, 2011, unless a request for a formal administrative hearing is received as described above.