

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: BARBARA A. VELVIN, R.N.

ORDER FOR REINSTATEMENT AND PROBATION

Pursuant to § 9-6.14.11 and § 54.1-110 of the Code of Virginia (1950), as amended, a Special Conference Committee of the Board of Nursing (the "Board") met on March 14, 1994, in Henrico County, Virginia, to receive and act upon evidence regarding the petition of Barbara A. Velvin for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia, which was suspended by a Consent Order of the Board entered on November 20, 1991. Ms. Velvin was present and was not represented by counsel.

Upon consideration of the evidence presented, the Committee adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Barbara A. Velvin, R.N., holds License No. 0001-102515 issued by the Virginia Board of Nursing.

2. By Consent Order entered November 20, 1991, Barbara A. Velvin's license to practice professional nursing was suspended for a period of not less than one (1) year due to her diversion of certain Schedule II and VI controlled substances, alteration of prescriptions, impairment while on duty, and a felony conviction of five (5) counts of obtaining prescription drugs by forgery or alteration of a prescription.

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3. On May 8, 1992, Ms. Velvin was released by the Circuit Court for Mecklenburg County, Virginia, from further supervised probation of random drug testing.

4. From August 18, 1993 to November 19, 1993, Ms. Velvin attended District 19's outpatient substance abuse program every two (2) weeks. She was successfully discharged, with the recommendation for participation in Alanon meetings.

5. Since January 1994, Ms. Velvin has been attending Alanon once a week.

6. Ms. Velvin states she has not used any controlled substances since November 30, 1990, and last used alcohol June 19, 1993.

7. Since October 1990, Ms. Velvin states she has been employed at Debbie's Drive Inn, South Hill, Virginia.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Committee concludes that Barbara A. Velvin, R.N., has met the requirements of § 54.1-3009(C) of the Code and that she is competent to return to the practice of nursing with reasonable skill and safety to her patients, subject to certain restrictions as more fully set forth below.

ORDER

WHEREFORE, it is hereby ORDERED that the license of Barbara A. Velvin to practice professional nursing in the Commonwealth of

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Virginia, be REINSTATED ON PROBATION with the following terms and conditions:

1. The period of probation shall begin on the date that this Order is final and shall end upon completion of two (2) years of employment as a Registered Nurse.

2. All written reports required by this Order shall be sent to the Board office with the first report being received no later than thirty (30) days following the date that this Order is final. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends.

3. Ms. Velvin shall inform her nursing employer and each future nursing employer that the Board has placed her license on probation and shall provide her employer with a copy of this Order. If, at any time, Ms. Velvin is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that her license is on probation.

4. Ms. Velvin shall practice nursing only in a structured, supervised employment setting satisfactory to the Board for the first year. Before changing employment, Ms. Velvin shall have her prospective employer provide a written description of the structured, supervised employment setting to the Board office for approval.

5. Ms. Velvin shall inform the Board in writing within ten (10) days of the date she begins nursing practice again and shall

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provide the Board with the name and address of the employer. Ms. Velvin shall inform the Board in writing within ten (10) days of any change of employment or any interruption in nursing practice.

6. Ms. Velvin shall direct her nursing employer to provide a written nursing performance evaluation to the Board as stated in term number 2.

7. Ms. Velvin shall be required to have supervised, unannounced drug screens and have all results sent to the Board as stated in term number 2. The Board shall be notified immediately in writing of any positive results or if Ms. Velvin refuses to give a specimen for analysis as required by this Order.

8. Ms. Velvin shall continue to be active in Alanon and begin to be active in Alcoholics Anonymous or Narcotics Anonymous with written reports of attendance by a sponsor sent to the Board as stated in term number 2.

9. Ms. Velvin shall not use alcohol or any other mood altering chemical except as prescribed by a physician with whom she has established a genuine physician/patient relationship and for accepted medicinal or therapeutic purposes. Should she be prescribed any medication such as a narcotic, depressant, tranquilizer or stimulant, a written report from the prescribing physician shall be provided to the Board within ten (10) days of the date of the prescription.

10. Written reports shall be provided by Ms. Velvin which will include her current address and current employment, if any. These

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reports shall be sent to the Board office as stated in term number 2.

11. The Board shall issue a license marked PROBATION WITH TERMS upon receipt of the appropriate fee.

12. Barbara A. Velvin, as a Registered Nurse, shall conduct herself in agreement with the requirements of Title 54.1, Chapter 30 of the Code of Virginia (1950), as amended, and the Board of Nursing Regulations.

Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Barbara A. Velvin, R.N., and a hearing shall be held to decide whether her license shall be revoked.

Any request for modification of this Order may be referred to a Special Conference Committee of the Board who shall have the full authority to make revisions or changes as it deems necessary.

The Board shall issue an unrestricted license to Barbara A. Velvin without a hearing at the completion of the probationary period unless there is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 9-6.14:1 et seq. of Code of Virginia (1950), as amended.

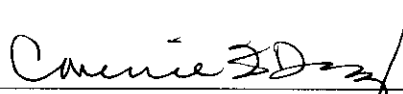
Pursuant to § 9-6.14:14 of the Code of Virginia (1950), as amended, the signed original of this Order shall remain in the

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custody of the Department of Health Professions as public record and shall be made available for public inspection or copying on request.

If Ms. Velvin does not consent to the Committee's decision and desires a hearing before the Board or a panel thereof, she shall notify Corinne F. Dorsey, R.N., Executive Director of the Board of Nursing, within thirty-three (33) days from the date of entry of this Order. This Order shall become final upon the expiration of the thirty-three day period unless a request for a formal hearing is received within such time. Upon receiving timely request for a hearing, the Board or a panel thereof shall then proceed with a hearing provided in §9-6.14:12 of the Code of Virginia (1950), as amended.

FOR THE BOARD



Corinne F. Dorsey, R.N.
Executive Director

ENTERED: March 28, 1994

Received: March 28, 1994

By: Robert A. Nebiker

Robert A. Nebiker, Acting Director
Department of Health Professions

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Certificate of Service

I hereby certify that a certified true copy of the Order was mailed on this day to Barbara A. Velvin, R.N., at Route 1, Box 950-A, South Hill, Virginia 23970-9557.

Corinne F. Dorsey

Corinne F. Dorsey, R.N.
Executive Director for the
Board of Nursing

March 29, 1994

DATE