

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

BARBARA ANNETTE VELVIN, R.N.

CONSENT ORDER

The Virginia Board of Nursing and Barbara Annette Velvin, R.N., with her consent as evidenced by her signature below, enter into the following Consent Order affecting Ms. Velvin's license to practice as a professional nurse in the Commonwealth of Virginia.

FINDINGS OF FACT

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

2. On or about June 8, 1990, Ms. Velvin altered a prescription for Valium 5mg #50, a Schedule IV controlled substance, to indicate that four (4) refills had been authorized, which was, in fact, false. Subsequently, on June 25, 1990; July 8, 1990; July 23, 1990; and August 3, 1990, Ms. Velvin fraudulently obtained refills of this prescription by fraud, deceit or misrepresentation.

3. On or about September 5, 1990, Ms. Velvin altered a prescription for Valium 5mg #50 to indicate that four (4) refills had been authorized, which was, in fact, false. Subsequently, on September 13, 1990; October 26, 1990; November 7, 1990; and November 21, 1990, she obtained refills of this prescription by fraud, deceit or misrepresentation.

4. On or about September 16, 1990, during the course of Ms. Velvin's employment with Community Memorial Hospital, South Hill, Virginia, she was unable to perform her duties with skill and safety to patients by reason of her mental and/or physical condition. Ms. Velvin was observed to be

impaired while on duty, with slurred speech and unsteady gait. By her own admission, Ms. Velvin had diverted Butalbital, a Schedule VI controlled substance, and Demerol, a Schedule II controlled substance, on that date and had self-administered these drugs while on duty. During the course of this diversion, she had signed out and charted the administration of Demerol to Patient A which she had not, in fact, administered.

5. From September 19, 1990 to September 25, 1990, Ms. Velvin received inpatient substance abuse treatment at Peninsula Hospital, Hampton, Virginia. She was discharged with a diagnosis of sedative, hypnotic dependency; history of alcohol dependence; and dysthymic disorder. Also, she was discharged with the recommendation that she follow up with the Professional Health Program, which she refused, and she also refused any additional appointments. The prognosis was poor to fair without continued treatment and fair to good with continued treatment.

6. From September 28, 1990 to October 19, 1990, she received inpatient treatment at Poplar Springs Hospital, Petersburg, Virginia, with a discharge diagnosis of depression.

7. On March 5, 1991, Barbara Annette Velvin was convicted in the Circuit Court of the County of Mecklenberg, Virginia, of five (5) counts of unlawfully and feloniously obtaining a prescription drug by forgery or alteration of a prescription, a felony. She was sentenced to five (5) years confinement, with all suspended except twenty (20) days in jail; diverted to the Community Diversion Incentive Program and ordered to serve fifty (50) hours of community service; and ordered to submit to random drug screening for a period of five (5) years to be conducted by the probation officer.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that Barbara Annette Velvin, R.N., has violated § 54.1-3007(2), (4), (5) and (6) of the Code of Virginia (1950), as amended, and § 4.1B(3) and (5) of the Board of Nursing Regulations.

CONSENT

Barbara Annette Velvin, R.N., by affixing her signature hereon, agrees to the following:

1. She acknowledges that she has been specifically advised to seek advice of counsel prior to signing this document;

2. She acknowledges that she is fully aware that without her consent, no legal action can be taken against her, except pursuant to the Virginia Administrative Process Action, § 9-6.14:1, et seq., of the Code of Virginia (1950), as amended;

3. She acknowledges that she has the following rights, among others: the right to a formal fact finding hearing before the Board, to reasonable notice of said hearing, to representation by counsel, and the right to cross-examine witnesses against her:

4. She waives all such rights to a formal hearing;

5. She admits to the above Findings of Fact; and

6. She consents to the entry of the following Order affecting her license to practice nursing in the Commonwealth of Virginia.

ORDER

On the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Consent Order, hereby ORDERS that License No. 0001-102515, issued to Barbara Annette Velvin, R.N., to practice professional nursing in the Commonwealth of Virginia, be and hereby is INDEFINITELY SUSPENDED. Ms. Velvin may petition the Board for reinstatement of her license after not less than one (1) year from the date of entry of this

B. Velvin

Consent Order, at which time she must present evidence satisfactory to the Board that she is able to return to the safe and competent practice of nursing.

FOR THE BOARD

Patricia W. Williams RN
Patricia W. Williams, R.N.
President

Entered: November 20, 1991

Seen and Agreed to:

Barbara Annette Velvin RN
Barbara Annette Velvin, R.N.

COMMONWEALTH OF VIRGINIA,
County/city of Mecklenburg, to-wit:

Subscribed and sworn to before me, Nancy Jackson,
a Notary Public, by Barbara Annette Velvin, R.N. this 23rd day
of September, 1991.

My commission expires the 31st day of August, 1995.

Nancy Jackson
Notary Public

Received: November 21, 1991

By: Bernard L. Henderson, Jr.
Bernard L. Henderson, Jr., Director
Department of Health Professions