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OCT 30 2014

VA BD OF NURSING

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: SHARON QUESENBERRY, R.N.
License No.: 0001-231827

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Sharon Quesenberry, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Quesenberry's license to practice professional nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Sharon Quesenberry, R.N. was issued License No. 0001-231827 to practice professional nursing by the Virginia Board of Nursing on July 6, 2011. Said license is set to expire on September 30, 2015. Previously, she held a license to practice practical nursing in Virginia, which expired in 2013. Her primary state of residence is Virginia.
2. Ms. Quesenberry is unable to safely practice nursing due to substance abuse, for which she receives treatment and medication.
3. Ms. Quesenberry signed a Participation Contract with the Health Practitioners' Monitoring Program in October 2013 and the first of two Recovery Monitoring Contracts in November 2013. She was granted a stay of disciplinary action with the understanding that she would comply with all terms and conditions of the HPMP. In July 2014, the stay was vacated and Ms. Quesenberry was placed on predissmissal status due to having tested positive for Tramadol. In addition, she had tested positive for valium in June 2014 and for cocaine in January 2014.

4. HPMP referred Ms. Quesenberry to inpatient treatment following the July 2014 positive drug screen. She completed a 28-day residential treatment program in August 2014 and returned to individual therapy and 12-step meeting attendance. She has not yet been determined to be safe to practice nursing.

CONCLUSIONS OF LAW

Findings of Fact Nos. 2 and 3 constitute a violation of § 54.1-3007(6) of the Code of Virginia (1950), as amended (“Code”).

CONSENT

Sharon Quesenberry, R.N., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice professional nursing in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. The Board shall TAKE NO ACTION at this time contingent on Ms. Quesenberry's continued compliance with the HPMP for the period specified by the HPMP.
2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Quesenberry and an administrative proceeding shall be held to decide whether his/her license should be revoked. Ms. Quesenberry 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 HPMP, or has been terminated from participation in the HPMP;
 - b. There is a pending investigation or unresolved allegation against her involving a violation of law or regulation or any term or condition of this Order; or
 - c. She has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of evidence of Ms. Quesenberry's participation in and compliance with the HPMP, the Board, at its discretion, may waive her appearance before the Board and conduct an administrative review of this matter.
3. This Order is applicable to Ms. Quesenberry's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Quesenberry shall not work outside of 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 she wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.
4. Ms. Quesenberry 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 upon request.

FOR THE BOARD

Gloria Mitchell
for Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director, Virginia Board of Nursing
ENTERED: November 5, 2014

SEEN AND AGREED TO:

Sharon Quesenberry, R.N.
Sharon Quesenberry, R.N.

COMMONWEALTH OF VIRGINIA,
COUNTY CITY OF Pulaski, TO WIT:

Subscribed and sworn to before me, Lisa D. Buenett, a Notary Public, this 28th day of October, 2014.

My commission expires 09-30-18.

Registration Number 7036109.

Lisa D. Buenett
NOTARY PUBLIC

Certified True Copy

By L. Robinson-Hawes
Virginia Board of Nursing

