

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: JULIE ANN KIRK NOWAK, R.N.
License Number: 0001-149171
Case Number: 172686

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Nursing ("Board") and Julie Ann Kirk Nowak, R.N., as evidenced by their signatures hereto, in lieu of proceeding to a formal administrative proceeding, enter into the following Consent Order affecting Ms. Nowak's license to practice professional nursing in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Julie Ann Kirk Nowak, R.N. was issued License Number 0001-149171 to practice professional nursing on July 8, 1996. Said license was indefinitely suspended by Order of the Board on October 24, 2014, with the suspension stayed contingent on certain conditions. The stay of suspension was summarily rescinded on March 16, 2016. Her primary state of residence is Virginia.
2. By Order entered December 5, 2008, the Board took no action against Ms. Nowak's license contingent on her entry into and compliance with the Health Practitioners' Monitoring Program ("HPMP"), based on findings that she had forged narcotic prescriptions for her own personal and unauthorized use. By Order entered October 24, 2014 ("Board's Order"), the Board reprimanded Ms. Nowak and suspended her license with the suspension stayed contingent on her entry into and compliance with the HPMP, based on findings that Ms. Nowak had failed to enter into the HPMP in violation of the 2008 Board's Order and that Ms. Nowak was impaired at work.

3. Ms. Nowak violated Virginia Code § 54.1-3007(6) and Term Number 4 of the Board's Order entered on October 24, 2014, which required her to enter into and comply with all terms and conditions of the HPMP in that on February 5, 2016, Ms. Nowak was dismissed from the HPMP for failure to attend a final substance abuse group treatment session to properly conclude her required group treatment and for failure to comply with the toxicology screening program.

CONSENT

Julie Ann Kirk Nowak, R.N., by affixing her signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to a formal administrative hearing before the Board; the right to representation by counsel; and the right to cross-examine witnesses against me;
4. I waive all right to a formal hearing;
5. I admit to the Findings of Fact and Conclusion of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my right to practice professional nursing in the Commonwealth of Virginia.

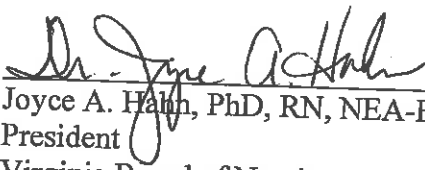
ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. The Board accepts the VOLUNTARY SURRENDER for INDEFINITE SUSPENSION of Ms. Nowak's right to renew her license to practice professional nursing in the Commonwealth of Virginia.
2. The license of Julie Ann Kirk Nowak will be recorded as SUSPENDED.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. Should Julie Ann Kirk Nowak seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Julie Ann Kirk Nowak to demonstrate that she is safe and competent to return to the practice of professional nursing. Julie Ann Kirk Nowak shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.

Pursuant to Virginia Code §§2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

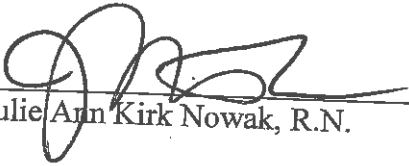
FOR THE BOARD



Joyce A. Hahn, PhD, RN, NEA-BC, FNAP
President
Virginia Board of Nursing

ENTERED: 9/19/11


SEEN AND AGREED TO:


Julie Ann Kirk Nowak, R.N.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF SCOTT, TO WIT:


Subscribed and sworn to me, a notary public in and for the Commonwealth of Virginia at large, on this
29th day of JUNE, 2011.

Kala D. Dean
Commonwealth of Virginia
Notary Public
Registration No. 7389364
My Commission Expires 03/31/19


Notary Public

My commission expires: 03/31/2019

Registration No.: 7389364

Certified True Copy
By 
Virginia Board Of Nursing