

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       ASHLEY HENSLEY, R.N. REINSTATEMENT APPLICANT**  
**License No.: 0001-231467**

**ORDER**

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on September 17, 2015, in Henrico County, Virginia, to receive and act upon Ashley Hensley's application for reinstatement of her license to practice professional nursing in Virginia, and to inquire into evidence that Ms. Hensley may have violated certain laws governing nursing practice in Virginia. The case was presented by Cynthia E. Gaines, Adjudication Specialist, Administrative Proceedings Division. Charis Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Hensley was present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

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

**FINDINGS OF FACT**

1. Ashley Hensley, R.N., was issued License No. 0001-231467 to practice professional nursing in the Commonwealth of Virginia on June 27, 2011. Said license was mandatorily suspended pursuant to § 54.1-2409 of the Code by Order of the Department of Health Professions entered on October 2, 2014.
2. Ms. Hensley submitted an application for reinstatement of her license to practice professional nursing which was received by the Board on June 22, 2015. Ms. Hensley's primary state of residence is Virginia.
3. By Consent Order entered February 12, 2014, by the Tennessee Board of Nursing, Ms. Hensley voluntarily surrendered her privilege to practice professional nursing in the State of Tennessee.

This action was the result of Ms. Hensley being found in an impaired condition on November 10, 2012, while on duty at Holston Valley Medical Center, Kingsport, Tennessee.

4. Ms. Hensley admitted that she began using drugs in 2010. She began taking Percocet 10mg, her drug of choice, every three to four hours, obtaining the narcotic medication from a family member. On February 9, 2015, Ms. Hensley tested positive for methamphetamine. Further, on July 25, 2015, Ms. Hensley entered into a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP"), where she acknowledged that she may suffer from the disease of alcohol or chemical dependency that could impair her ability to practice.

5. Ms. Hensley provided the Board with copies of her attendance records for Caduceus meetings from July 20, 2015, through August 24, 2015, and Alcoholics Anonymous meetings from July 27, 2015, through August 24, 2015.

6. Ms. Hensley testified that she is willing to do whatever it takes to be a safely licensed nurse and is aware that sobriety is a lifelong battle. She stated that her sister is her support system and she has a sponsor. She told the Board that she has further career goals and would like to get her life back on track.

7. Ms. Hensley has enrolled in the Health Practitioners' Monitoring Program and is compliant.

### CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(7) of the Code.
2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code.

### ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. The application of Ashley Hensley for reinstatement of License No. 0001-231467 to practice professional nursing in the Commonwealth of Virginia is hereby DENIED. Further, it is hereby ORDERED

that the license of Ms. Hensley be CONTINUED on INDEFINITE SUSPENSION. At such time as she shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of professional nursing.

2. The license shall be recorded as suspended.

3. Said suspension shall be STAYED upon proof that Ms. Hensley has entered into a Recovery Monitoring Contract with the HPMP and upon the condition that she remain compliant with the following terms and conditions:

a. Ms. Hensley shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.

b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Ms. Hensley, and an administrative proceeding shall be held to decide whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:

i. Ms. Hensley is not in compliance with the terms and conditions specified by the HPMP, or has been terminated from participation in the HPMP, or

ii. There is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of this Order.

4. Upon receipt of evidence of Ms. Hensley's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Hensley's appearance before the Board, and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

5. This Order shall be applicable to Ms. Hensley's multistate licensure privileges, if any, to practice professional nursing. It is further ordered that for the duration of this Order, Ms. Hensley may 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.

6. Ms. Hensley 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.

FOR THE BOARD

*for* *Alena Pritchard-Lively*  
Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director  
Virginia Board of Nursing

*October 1, 2015*  
ENTERED

**NOTICE OF RIGHT TO APPEAL**

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy  
By *draham*  
Virginia Board Of Nursing