

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:           KATHRYN E. BRANDT, L.P.N. REINSTATEMENT APPLICANT**  
**License No.:0002-075963**

**ORDER**

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on August 5, 2014, in Henrico County, Virginia, to receive and act upon Kathryn Brandt’s application for reinstatement of her license to practice practical nursing in Virginia and to inquire into evidence that Ms. Brandt may have violated certain laws governing nursing practice. Ms. Brandt was present and was not represented by counsel.

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

**FINDINGS OF FACT**

1. Kathryn Brandt, L.P.N., was issued License No. 0002-075963 to practice practical nursing in the Commonwealth of Virginia on June 11, 2007. Said license was indefinitely suspended by Order of the Board entered on May 18, 2010. This action was result of Ms. Brandt’s admitted substance abuse. Ms. Brandt’s primary state of residence is Virginia.
2. Ms. Brandt submitted an application for reinstatement of her license to practice practical nursing which was received by the Board on February 12, 2014.
3. By letter dated July 1, 2014, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Brandt notifying her that an informal conference would be held on August 5, 2014. The

Notice was sent by certified and first class mail to 929 Saddleback Trail, Chesapeake, Virginia 23322, the address of record on file with the Board of Nursing.

4. On June 4, 2013, Ms. Brandt was convicted of concealment, a misdemeanor, in the Norfolk, Virginia, General District Court.

5. On July 18, 2013, Ms. Brandt was convicted of two counts of forgery, a felony, in the Circuit Court of York County-City of Poquoson, Virginia.

6. On December 5, 2013, Ms. Brandt was convicted of possession of heroin, a felony, in the Circuit Court of the City of Chesapeake, Virginia.

7. On August 6, 2013, Ms. Brandt was convicted of driving under the influence in the Chesapeake, Virginia, General District Court. By her own admission, she had taken too much heroin that morning before getting behind the wheel of the car.

8. Ms. Brandt provided evidence of completion of 28 hours of continuing education.

9. On March 23, 2014, Ms. Brandt entered into a Participation Contract and on May 19, 2014, she entered into a Recovery Monitoring Contract with the Health Practitioners' Monitoring Program ("HPMP"). According to Ms. Brandt's HPMP case manager, as of July 29, 2014, Ms. Brandt is compliant with the terms and conditions of her Recovery Monitoring Contract.

10. Ms. Brandt stated to the Committee that her date of sobriety is November 12, 2013. She attends three to five Narcotics Anonymous meetings per week. Her sponsor has 11 years of sobriety. Ms. Brandt stated that she attends Caduceus meetings twice a month.

11. Ms. Brandt provided evidence that she completed an intensive outpatient program, and is currently in an aftercare program. She also provided letters of support from her treatment providers.

#### **CONCLUSIONS OF LAW**

1. Findings of Fact Nos. 4 through 6 constitute a violation of § 54.1-3007(4) of the Code.

2. Finding of Fact No. 7 constitutes a violation of § 54.1-3007(6) of the Code.
3. Based on the above Findings of Fact, the Committee concludes that Ms. Brandt is properly enrolled in the Health Practitioners' Monitoring Program ("HPMP").
4. The Committee concludes that Ms. Brandt otherwise meets the requirements for reinstatement of her license to practice practical nursing.

### ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. The license of Kathryn E. Brandt to practice practical nursing is hereby REINSTATED with the following terms and conditions:
  - a. Ms. Brandt shall continue to comply with all terms and conditions of the Recovery Monitoring Contract ("Contract") with the HPMP for the period specified in the Contract.
2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Brandt, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Brandt shall be noticed to appear before the Board at such time as the Board is notified that:
  - a. Ms. Brandt 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 Ms. Brandt involving a violation of law or regulation or any term or condition of this Order; or
  - c. Ms. Brandt has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Brandt's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Brandt's appearance before the Board and conduct an administrative review of this matter.


3. This order shall be applicable to Ms. Brandt's multistate licensure privilege, if any, to practice practical nursing. For the duration of this Order, Ms. Brandt shall not work outside 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 Ms. Brandt wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

4. Ms. Brandt shall maintain a course of conduct in her capacity as a practical 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.

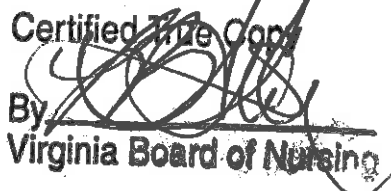
Pursuant to Section 54.1-2400(10) of the Code, Ms. Brandt may, not later than 5:00 p.m., on **October 8, 2014**, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:

  
Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.  
Executive Director, Virginia Board of Nursing

ENTERED: September 5, 2014

This Order shall become final on **October 8, 2014**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy  
By   
Virginia Board of Nursing