

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: ROBIN HENSLEY, R.N.
 License No.: 0001-213485**

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 July 17, 2014, in Henrico County, Virginia, to inquire into evidence that Robin Hensley, R.N., may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board entered on October 3, 2013, 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. Robin Hensley, R.N., was issued License No. 0001-213485 to practice professional nursing in the Commonwealth of Virginia on July 1, 2008. By Order of the Board entered October 3, 2013 ("Board's Order"), Ms. Hensley's license to practice professional nursing was indefinitely suspended, with the suspension stayed contingent upon certain terms and conditions. By letter dated June 3, 2014, the stay was rescinded and Ms. Hensley's license to practice professional nursing was suspended.

2. Term 5(a) of the Board's Order entered October 3, 2013, required Ms. Hensley to comply with all terms and conditions of the Health Practitioners' Monitoring Program ("HPMP") for the period specified by the HPMP.

3. On May 16, 2014, Ms. Hensley was dismissed from the HPMP for noncompliance with her program contract. Specifically, Ms. Hensley entered into a Participation Contract on December 12, 2013, and a Recovery Monitoring Contract on March 10, 2014. On March 19, 2014, Ms. Hensley missed calling into the screening test line, and she stopped calling the screening test line on April 3, 2014. On March 26, 2014, Ms. Hensley tested positive for alcohol. Following the positive test for alcohol, Ms. Hensley was required to attend 90 12-Step meetings in 90 days, submit a letter regarding what recovery meant to her, and enter into an intensive outpatient program by April 10, 2014. On April 10, 2014, Ms. Hensley submitted a letter of resignation to the HPMP.

4. Ms. Hensley testified that she is not seeing a counselor or a physician and is not attending any support groups. She testified that she does not believe she would benefit from the HPMP, because she does not consider herself an addict.

5. According to evidence from the HPMP dated April 16, 2014, her diagnoses include marijuana abuse, opiate abuse, and rule out alcohol abuse.

6. Although Ms. Hensley testified that she would not divert drugs if in a nursing situation again, she testified that she had originally diverted to ease her back pain. She testified that her back pain has been better since she stopped working and that working exacerbates the pain. She testified that she does not see a physician for pain management or treatment of her condition. When asked what was different in her life since her diversion, she could not identify differences except she had to deal with the fallout of her choices.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 3 constitutes a violation of Term 5(a) of the Board's Order entered October 3, 2013, and § 54.1-3007(6) of the Code.

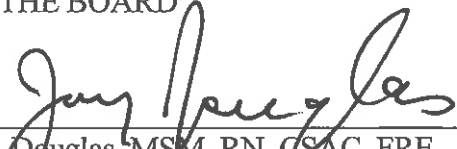
ORDER

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

1. The license of Robin Hensley to practice professional nursing is 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. This Order shall be applicable to Ms. Hensley's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia.
4. Ms. Hensley is REPRIMANDED.

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



Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

ENTERED August 20th 2014

Certified True Copy

By dyraham
Virginia Board Of Nursing

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.