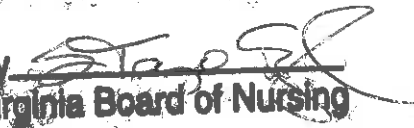


Certified True Copy

By   
Virginia Board of Nursing



RECEIVED

JUL 25 2014

VA BD OF NURSING

COMMONWEALTH of VIRGINIA

David E. Brown, D.C.  
Director

Department of Health Professions  
Perimeter Center  
9960 Mayland Drive, Suite 300  
Henrico, Virginia 23233-1463

www.dhp.virginia.gov  
TEL (804) 367-4400  
FAX (804) 527-4475

July 24, 2014

Crystal Denise Jones  
6723 Apple Grove Road  
Baileyton, AL 35019

CERTIFIED MAIL  
DUPLICATE COPY  
VIA FIRST CLASS MAIL

RE: License Number: 0001-235640

DATE 7/24/14

Dear Ms. Jones:

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your license to practice as a professional nurse in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered July 24, 2014. You are hereby advised that, pursuant to Section 54.1-2409.1 of the Code, any person who practices a profession or occupation after having their license or certificate to do so suspended shall be guilty of a felony. Please return your license to Jay P. Douglas, Executive Director of the Virginia Board of Nursing at the above address, immediately upon receipt of this letter.

Section 54.1-2409 of the Code further provides that you may apply to the Board of Nursing ("Board") for reinstatement of your license, and shall be entitled to a hearing not later than the next regular meeting of the Board after the expiration of sixty days from the receipt of such reinstatement application. You have the following rights, among others: to be represented by legal counsel, to have witnesses subpoenaed on your behalf, to present documentary evidence and to cross-examine adverse witnesses. The reinstatement of your license shall require the affirmative vote of three-fourths of the members present of the Board of Nursing.

Should you wish to petition the Board of Nursing for reinstatement of your license, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4599.

Sincerely,

  
Jamie H. Hoyle, Esquire, Chief Deputy Director  
Department of Health Professions

Enclosures  
Case #157748

**VIRGINIA:**

**BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS**

**IN RE: CRYSTAL DENISE JONES, R.N.**  
**License No.: 0001-235640**


**ORDER**

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Jamie H. Hoyle, Esquire, Chief Deputy Director of the Virginia Department of Health Professions, received and acted upon evidence that Crystal Denise Jones, R.N., voluntarily surrendered her license to practice nursing in the State of Alabama by an Order of Voluntary Surrender entered on April 3, 2014. Said surrender to have the same effect as revocation. A certified copy of the Order of Voluntary Surrender (with attachment) is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the privilege of Crystal Denise Jones, R.N., to renew her license to practice as a professional nurse in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Crystal Denise Jones, R.N., will be recorded as suspended and no longer current. Should Ms. Jones seek reinstatement of her license pursuant to Section 54.1-2409 of the Code, she shall be responsible for any fees that may be required for the reinstatement and renewal of her license prior to issuance of her license to resume practice.

Pursuant to Sections 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 a public record and shall be made available for public inspection and copying upon request.

  
\_\_\_\_\_  
Jamie H. Hoyle, Esquire, Chief Deputy Director  
Department of Health Professions

ENTERED: 7/24/14



# COMMONWEALTH of VIRGINIA


David E. Brown, D.C.  
Director

*Department of Health Professions*  
Perimeter Center  
9960 Mayland Drive, Suite 300  
Henrico, Virginia 23233-1463

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## CERTIFICATION OF DUPLICATE RECORDS

I, Jamie H. Hoyle, Esquire, Chief Deputy Director of the Department of Health Professions, hereby certify that the attached Order of Voluntary Surrender (with attachment) entered April 7, 2014, regarding Crystal Denise Jones, R.N., is a true copy of the records received from the Alabama Board of Nursing.

  
\_\_\_\_\_  
Jamie H. Hoyle, Esquire

Date: 7/24/14

BEFORE THE ALABAMA BOARD OF NURSING

IN THE MATTER OF:	)	
	)	
CRYSTAL DENISE JONES	)	VOLUNTARY SURRENDER
	)	
LICENSE NO:1-112023 (Active/Probation)	)	ABN CASE NO: 2012-0280

The undersigned holder of licensure to practice nursing in the State of Alabama, pursuant to 610-X-8-.05(4) of the Alabama Board of Nursing Administrative Code hereby freely, knowingly and voluntarily surrenders said license to the Alabama Board of Nursing. I further understand that this surrender shall have the same effect as a revocation of my license, and I knowingly forfeit and relinquish all right, title and privilege of practicing nursing in the State of Alabama, unless and until such time as my license may be reinstated.

I understand that I have a right to a hearing in this matter, and I hereby freely, knowingly and voluntarily waive such right. I also understand that should any request for reinstatement be entertained by the Alabama Board of Nursing, the Alabama Board of Nursing shall have access to the entire investigative file in this matter.

I further acknowledge that the only promises or representations made to me by the Alabama Board of Nursing or its representatives are that upon receipt of proper proof and evidence of my rehabilitation, the Alabama Board of Nursing will give due consideration to an application for reinstatement of license at such time as is allowed by law. I fully understand that as a condition for reinstatement, I must demonstrate to the satisfaction of the Alabama Board of Nursing that I am capable of safely and competently resuming the practice of nursing in accordance with the laws of the State of Alabama.

This voluntary surrender shall become effective immediately upon acceptance thereof by the Alabama Board of Nursing. I understand that this document will be considered to be a public record entered as the final disposition of disciplinary proceedings presently pending against me, that this action shall be considered to be and may be recorded as a Final Order of the Board, and that this action will be reported as a disciplinary action to the Healthcare Integrity Protection Databank and the National Council of State Boards of Nursing.

EXECUTED this the 3 day of April 2014.

*Crystal Denise Jones*  
CRYSTAL DENISE JONES

APPROVED AND ACCEPTED by the ALABAMA BOARD OF NURSING on this the 7<sup>th</sup> day of April 2014.

ALABAMA BOARD OF NURSING  
*N. Genell Lee*  
N. GENELL LEE, RN, MSN, JD  
EXECUTIVE OFFICER



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*[Handwritten mark]*

*[Handwritten date: 4/7/14]*

*[Handwritten signature]*

**RECEIVED**  
**ALABAMA BOARD OF NURSING**  
**APR - 7 2014**

*[Faint, illegible text]*

BEFORE THE ALABAMA BOARD OF NURSING

IN THE MATTER OF:

CRYSTAL DENISE JONES

LICENSE NO. 1-112023 (LAPSED)

Respondent.

)  
)  
)  
)  
)  
)  
)

ABN CASE NO. 2011-0560; 2012-0280

CONSENT ORDER

The Alabama Board of Nursing, hereinafter referred to as Board, having evidence that **CRYSTAL DENISE JONES**, hereinafter referred to as Respondent, is in violation of the Code of Alabama 1975, § 34-21-25, and the Alabama Board of Nursing Administrative Code, § 610-X-8; and Respondent, desiring to avoid the necessity of a formal hearing, do hereby enter into this Consent Order in lieu of proceeding with further disciplinary action. Respondent understands the right to a formal hearing in this matter and hereby knowingly waives such right. Respondent further understands and agrees that this is a non-appealable Order.

FINDINGS OF FACT

I.

On December 27, 2006, Respondent was issued a permit by the Board as a Nursing Graduate – RN Program; on February 23, 2007, Respondent was licensed as a Registered Nurse (RN) by examination and was so licensed at all times relevant to the matters stated herein. Respondent's license lapsed on January 1, 2013, due to non-renewal. On or about April 25, 2013, Respondent submitted an application for reinstatement of her lapsed RN license.

II.

On May 16, 2008, the Board issued an Order which placed Respondent's RN license on probation until completion of documentation and medication safety continuing education courses and payment of a \$300 fine. The disciplinary action was the result of Respondent

documenting the administration of two doses of Lortab to a patient which the patient did not receive. Said probation was completed May 19, 2008.

III.

Respondent was employed as an RN by the State of Alabama at Northeast Alabama Regional Hospital, Decatur, Alabama, from December 3, 2007, through December 2, 2011, when she voluntarily resigned while working out a two-week notice.

IV.

On November 24, 2011, Respondent was observed by another co-worker appeared to be unable to follow instructions, such as giving report, claiming first to feel as if she had low blood sugar, and then as if she were going to "pass out." Respondent was evaluated by staff and her blood sugar and vital signs were within normal range.

V.

On December 2, 2011, at about 4:30pm, while at work, Respondent's co-workers were concerned that Respondent may be impaired after observing behaviors possibly suggestive of impairment.

VI.

Respondent was confronted for possible impairment in the workplace by the Assistant Director of Nursing (ADON) and was given the option to drug screen and be suspended pending the results, or opt to take her previously submitted voluntary resignation immediately. Respondent initially consented to the drug screening, and then declined, opting for immediate voluntary resignation, because she admitted to having ingested Xanax, one of her prescribed medications the night before to help her sleep. After leaving work that evening, at 8:22pm, Respondent submitted to a drug screen at her own expense at Hartselle Medical Center, Hartselle, Alabama, which was positive for the Barbiturate Butalbital. The documentation submitted by Respondent does not appear to indicate review by a medical review officer;

however, Respondent's prescription profile suggests that Respondent did have a valid prescription for this medication (BUT/APAP/CF50-325 filled on November 2, 2011).

#### CONCLUSIONS OF LAW

1. Respondent's conduct as described in Paragraphs III through V of the Findings of Fact demonstrates that Respondent exhibited inappropriate or unprofessional conduct or behavior in the workplace in violation of Code of Alabama, 1975 § 34-21-25(b)(1)(g) and Alabama Board of Nursing Administrative Code § 610-X-8-.03(7)(I). Said conduct is unprofessional conduct of a character likely to deceive, defraud, or injure the public in matters pertaining to health.

2. Respondent's conduct as described in Paragraphs IV through VII of the Findings of Fact demonstrates that Respondent practiced when she was unable to perform with reasonable skill and safety due to the licensed nurse's mental impairment resulting from duly authorized substances in violation of Code of Alabama, 1975 § 34-21-25(b)(1)(g) and Alabama Board of Nursing Administrative Code § 610-X-8-.03(7)(I)(ii). Said conduct is unprofessional conduct of a character likely to deceive, defraud, or injure the public in matters pertaining to health.

#### ORDER

Respondent's application for reinstatement of her lapsed RN license is hereby **APPROVED** and Respondent's Alabama Registered Nurse License, No. 1-112023, is hereby placed on **PROBATION** for a period of **TWELVE (12) MONTHS** pursuant to the following terms and conditions:

1. Return of Wallet ID Card

Respondent's wallet ID card shall be **immediately** returned to the Alabama Board of Nursing office in order to have it indicate probationary status.

2. Fine

Respondent shall pay a fine in the amount of **\$300**. This fine must be paid within thirty (30) days of the effective date of this Order. Respondent understands that failure to pay the fine is



cause for additional disciplinary action by the Board of Nursing.

3. **Education – Completion of Course**

Respondent shall satisfactorily complete a Board-approved course/program on chemical dependency and provide documentation of completion to the Board. This course must be satisfactorily completed within three (3) months of the effective date of this Order.

4. **Primary Physician – Drug Use Exception**

The Respondent will have only one primary physician/group during the period of this Order. The primary physician must refer to any other physician, except in a documented emergency. All mood-altering medications or medications containing a mood-altering substance must be prescribed to Respondent by this primary physician for a bona fide medical condition, or if prescribed by the referred physician, must be immediately reported in writing by the Respondent to the primary physician with a copy to the Board. Respondent must notify the Board of the name, address, and telephone number of the primary physician within ten (10) days of the effective date of this Order and within ten (10) days in the case of a new physician. Respondent shall cause any and all prescriptions to be verified to the Board by the prescribing practitioner on a Board-provided form at the time of the issuance of a prescription and must also provide verification of all medications prescribed prior to the Respondent's Board Order. No prescription over twelve (12) months old should be taken without an updated prescription verification. The Board or its designee may, at any time, request the practitioner to document the continued need for prescribed medications. Respondent shall keep a written record of medications taken, including over-the-counter drugs, and produce such record upon request by the Board. This is required regardless of whether Respondent is employed in nursing.

5. **Dentist – Drug Use Exception**

The Respondent will have only one dentist during the period of this Order. The primary dentist must refer to any other dentist or dental specialist, except in a documented emergency. All mood-altering medications or medications containing a mood-altering substance must be

prescribed to Respondent by this primary dentist for a bona fide dental condition, or if prescribed by a referred dentist, must be immediately reported in writing by the Respondent to the primary dentist with a copy to the Board. Respondent must notify the Board of the name, address, and telephone number of the primary dentist within ten (10) days of the effective date of this Order. Respondent shall cause any and all prescriptions to be verified to the Board by the prescribing dentist on a Board-provided form at the time of the issuance of a prescription and must also provide verification of all medications prescribed prior to the Respondent's Board Order. No prescription over twelve (12) months old should be taken without an updated prescription verification. The Board or its designee may, at any time, request the practitioner to document the continued need for prescribed medications. Respondent shall keep a written record of medications taken, including over-the-counter drugs, and produce such record upon request by the Board. This is required regardless of whether Respondent is employed in nursing.

6. **Abstain from Alcohol Use**

Respondent shall abstain completely from the use of any substance containing alcohol.

7. **Abstain from Drug Use**

Respondent shall abstain completely from the non-prescribed use or possession of controlled substances as defined in the Alabama Uniform Controlled Substances Act, illegal drugs as defined by law, mood-altering substances, or any drugs requiring a prescription (legend) except as provided for in this Order.

8. **Drug Screening**

Respondent shall participate as directed in a Board-acceptable program for random drug testing. The drug screen will be a Board-approved drug screen and may include additional chemicals as designated by the Board or its designee. A minimum of one (1) random testing per month shall be done and may be required more frequently as requested by the Board or its designee. Further, the Board or its designee may at anytime require the Respondent to undergo additional drug screening of a type specified by the Board, including hair testing, to ensure that the

Respondent is free of chemical substances. Refusal to provide a specimen suitable for testing within the requested time frame constitutes a violation of this Order and such will be cause for dismissal from this program and grounds for disciplinary action. Respondent waives any argument as to chain-of-custody of the sample or validity/accuracy of its testing regarding any positive screen received by the Board from an approved testing facility. The report of a positive drug screen which is not a result of documented, prescribed medications as provided for herein shall be considered a violation of this Order. This is required regardless of whether Respondent is employed in nursing.

9. **Employment - Monitoring**

Respondent shall practice only under the on-site monitoring of a Board-approved licensed health professional in good standing with their professional regulatory body. The employment monitor is not required to be on the same unit or ward as Respondent, but should be on site and readily available to provide assistance and intervention in the event the Respondent appears impaired or otherwise unable to safely practice. The Respondent shall work only regularly assigned, identified, and predetermined units. The on-site monitor shall be primarily one (1) person. The Respondent shall not be self-employed or contract for services.

10. **Restricted Employment**

Respondent shall not work for a nursing registry, traveling nurse agency, nursing float pool, hospice, home health agency, or temporary employment agency.

11. **Employment-Supervision Restriction**

Respondent shall not be employed as a supervising nurse.

12. **Employment - Notification**

Respondent shall provide all health care employers, collaborative and covering physicians (if CRNP/CNM) and schools of nursing with a copy of this Order and cause each to acknowledge to the Board that a copy of this Order has been provided to them. Said notification shall be received by the Board no later than ten (10) days after the effective date of this Order or within ten (10) days of Respondent's employment or advanced practice approval or entry into

school and must be on the Board-provided form.

13. **Employment - Change in Status**

Respondent shall not accept or change employment without prior written notification to the Board. Said notification must include the name and number of the person who will be Respondent's supervisor for the period of this Order.

14. **Employment - Evaluation of Performance**

Respondent shall cause the employer to provide to the Board, on a Board-approved form, a written evaluation of Respondent's nursing performance. Such reports are due quarterly, according to schedule. The receipt of an unfavorable report may be considered to be a violation of this Order. If Respondent is not employed as a nurse, Respondent is required to inform the Board of employment status in the monthly self-report.

15. **Self-Report**

Respondent shall submit a written status report to the Board on a Board-approved form. This is to be submitted on a monthly basis, according to schedule, and must contain a self-assessment of current status. This report is required regardless of whether Respondent is employed in nursing.

16. **Not Employed in Nursing**

Periods of time in which Respondent is not employed as a practicing nurse shall be excluded from computation of time to be served on probation, unless determined otherwise by the Board of Nursing or its designee. A minimum of ninety-six (96) hours of nursing employment per month is required to constitute being "employed as a practicing nurse." Employment in fields other than nursing does not relieve Respondent from compliance with all other terms and conditions of this Order.

17. **Alabama Licensure Status**

Respondent must maintain a current license at all times during the period of probation. If for any reason Respondent allows the nursing license to lapse/expire during probation, such

would be grounds for disciplinary action. This provision includes obtaining continuing education contact hours as required for licensure.

18. **Notification of Board**

If Respondent is arrested by any law enforcement agency or is admitted as a patient to any institution in this state or elsewhere for treatment regarding the abuse of or dependence on any chemical substance, or for treatment for any emotional or psychological disorder, Respondent shall cause the Board to be notified immediately. Respondent also shall immediately report to the Board any relapse as well as any disciplinary action issued by an employer. Should Respondent test positive on any drug screen conducted by an employer, an employee assistance program, court referral program or other entity, the Respondent shall immediately report such to the Board.

19. **Change of Address**

Respondent shall immediately notify the Board in writing of any changes of address.

20. **Relocation**

The Respondent must notify the Board of pending relocation outside the State of Alabama. If Respondent plans to relocate to another state, Respondent must inform that state's board of nursing as to licensure status and may request the Alabama Board to transfer monitoring to the other state. If monitored by another state, Respondent must successfully complete all requirements of the Board Order of the other jurisdiction in order to fulfill the terms of this Order. Respondent must submit to the Alabama Board a copy of the Order from the other state and official notification of successful completion or unsuccessful termination thereof. The Board retains the right to withdraw approval for out-of-state monitoring if circumstances indicate that such is appropriate.

21. **Personal Interview**

Respondent shall appear in person for an interview at the request of the Board or Board designee.

22. **Obey the Laws**

Respondent shall refrain from violation of any federal, state or local law or rule or Order of the Board. A conviction on any criminal charge pending at the time of the signing of this Order may result in further disciplinary action. Any arrest subsequent to the signing of this Order may result in further disciplinary action.

23. **Release of Records and Information**

Respondent hereby authorizes the Board of Nursing to submit information and all records necessary to ensure compliance with the stipulations of this Order and public safety. This includes communication with Respondent's employer (existing and prospective) and members of Respondent's treatment team regarding non-compliance and/or possible relapse. Respondent also agrees to execute all appropriate release of information forms so as to allow all treatment providers, healthcare providers, employers and all other necessary persons to inform the Board, in writing, of Respondent's status and progress.

24. **Violation**

Any deviation from the requirements of this Order without the written consent of the Board shall constitute a violation of this Order and will be cause for disciplinary action.

25. **Subsequent Practice Act Violation**

Should supplemental cause for disciplinary action arise during the period of this Order such is cause for disciplinary action.

26. **Fraudulent Acts During Period of Order**

Submission of fraudulent documents or reports or misrepresentation of facts relating to the terms and conditions stated herein shall constitute a violation of this Order.

27. **Termination of Order**

This Order shall terminate only upon receipt of documents to satisfy all terms and conditions of this Order, including receipt of official court records documenting successful completion of court-ordered probation, pretrial diversionary-type program, drug court, etc., where

applicable. This period of probation will not terminate until notification by the Board to Respondent in writing that all terms and conditions have been met and the probation has been completed.

28. Public Information

This Order is public information and can be disseminated. All disciplinary actions of the Board will be reported to all required data banks.

29. Effective Date

The effective date of this Order shall be the documented date of service or attempted service by certified mail or personal service.


30. Final Order

This Order is subject to full Board consideration and acceptance before it shall be final.

EXECUTED on this the 10 day of June 2013.

  
CRYSTAL DENISE JONES

APPROVED AND ACCEPTED by the ALABAMA BOARD OF NURSING on this the 19<sup>th</sup> day of July 2013.

  
N. GENELL LEE, RN, MSN, JD  
EXECUTIVE OFFICER  
ALABAMA BOARD OF NURSING