

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: BRITTANY NELSON, R.N.
License No.: 0001-218282

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 May 22, 2014, in Henrico County, Virginia, to inquire into evidence that Brittany Nelson, R.N., may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board entered on March 30, 2012, and to inquire into evidence that Ms. Nelson 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. Nelson 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. Brittany Nelson, R.N., was issued License No. 0001-218282 to practice professional nursing in the Commonwealth of Virginia on May 12, 2009. Said license was indefinitely suspended by Order of the Board entered March 30, 2012 ("Board's Order"). This suspension was stayed contingent upon terms and conditions imposed by the Board's Order. Ms. Nelson's primary state of residence is Virginia. By letter dated February 14, 2014, the stay was rescinded and Ms. Nelson's license was suspended.

2. Term 5(a) of the Order of the Board entered on March 30, 2012, required Ms. Nelson to comply with all terms and conditions of the Health Practitioners' Monitoring Program ("HPMP"). On

January 27, 2014, Ms. Nelson was dismissed from the HPMP for noncompliance with her program contract. Specifically, Ms. Nelson failed to call the drug screening test line on February 18, 2013 and February 19, 2013, missed screening on August 20, 2013, November 27, 2013, and December 13, 2013, provided diluted screens on March 25, 2013, June 25, 2013, and August 7, 2013, and tested positive for synthetic cannabinoid (Spice) on April 11, 2012, synthetic stimulant (Bath Salts) on May 10, 2012, and morphine (C-II) on November 25, 2013.

3. Ms. Nelson testified that she is not currently safe to practice nursing, but that if she continues to keep doing what she is doing in her attempts to remain clean and sober she could become safe to practice. Ms. Nelson acknowledged that her lack of finances has impeded her full participation in treatment and recovery activities. She also told the Board that she has not practiced nursing since 2011 and has not stayed current with the practice.

4. Ms. Nelson testified that her support system includes her parents, her family, Alcoholics Anonymous, Narcotics Anonymous, and her fiancé's family. Ms. Nelson reported to the Board her date of sobriety is November 26, 2013.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 2 constitutes a violation of § 54.1-3007(6) of the Code and Term 5(a) of the Order of the Board entered on March 30, 2012.

ORDER

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

1. License No. 0001-218282 issued to Brittany Nelson to practice professional nursing in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED for a period of not less than two years.
2. The license of Ms. Nelson will be recorded as SUSPENDED. Should Ms. Nelson seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be

required for the reinstatement of her license privilege prior to issuance of her license to resume practice.

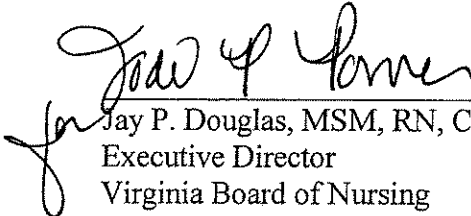
3. At such time as Ms. Nelson shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of professional nursing.

4. This Order shall be applicable to Ms. Nelson's multistate licensure privileges, if any, to practice professional nursing.

5. Ms. Nelson is hereby 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

June 27, 2014
ENTERED

Certified True Copy

By 
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, 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. 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.