

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:**

**AUDREY HOLLAR, R.N.**

**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 21, 2010, in Henrico, Virginia, to inquire into evidence that Audrey Hollar, R.N., may have violated certain laws and regulations governing the practice of nursing in Virginia and to inquire into evidence that Ms. Hollar may have violated certain terms and conditions imposed on her as set forth in the Order of the Board entered on August 11, 2009. The case was presented by Wendell C. Roberts, Adjudication Specialist, Administrative Proceedings Division. Howard M. Casway, Senior Assistant Attorney General, was present as legal counsel for the Board. Audrey Hollar, R.N., was present and was represented by Kimberly Ann Murphy, Esquire. 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. Audrey Hollar, R.N., was issued License No. 0001-117631 to practice as a professional nurse by the Virginia Board of Nursing on February 15, 1990. Said license is set to expire on January 31, 2011.
2. By Order of the Board entered August 11, 2009 ("Order"), a quorum of the Board acted on the decision of an agency subordinate, and found that during Ms. Hollar's employment with Northwestern Community Services, Winchester, Virginia, Ms. Hollar had made numerous medication

administration and documentation errors and falsified information on an employment application. Further, the Board found that Ms. Hollar had admitted to a long history of alcohol abuse. Based on the findings, the Board issued a reprimand. In addition, Term No. 2 of the Order required Ms. Hollar to undergo a mental health evaluation by a Board-approved specialist. A copy of the evaluation was to be sent to the Board within 45 days of the entry of the Order, or September 25, 2009. The Board also ordered Ms. Hollar to follow the recommendations of the specialist.

3. Ms. Hollar did not request approval of a specialist until October 20, 2009, and an official report was not received by the Board until November 23, 2009.

4. In her report, the specialist who conducted Ms. Hollar's mental health evaluation pursuant to Term No. 2 of the Order recommended that Ms. Hollar receive a thorough neuropsychological evaluation to determine her level of cognitive functioning and/or impairment, and that Ms. Hollar complete an inpatient substance abuse treatment program. Ms. Hollar has not submitted documentation regarding her compliance with the specialist's recommendations.

5. The specialist also reported significant concerns about Ms. Hollar's ability to complete the requirements of a registered nurse because of Ms. Hollar's memory problems and ongoing use of alcohol.

6. In the hearing, Ms. Hollar testified that she did not agree with most of the specialist's report, including that she (i.e., Ms. Hollar) had experienced multiple head injuries with loss of consciousness, that she was currently using alcohol, that she failed to take her prescribed medications, and that she experienced flashbacks and dissociative moments. Ms. Hollar did, however, agree with the specialist's diagnosis of post-traumatic stress disorder (i.e., PTSD), that she was an alcoholic and that she has a depressive disorder. Upon further questioning, however, Ms. Hollar testified that she did not agree with the specialists' recommendation for inpatient treatment since she believed that she

did not meet the criteria for such treatment. Moreover, Ms. Hollar stated that her failure to comply with the requirements of Term No. 2 of the Order was due to limited finances.

7. Ms. Hollar subsequently underwent a substance abuse evaluation by a clinical psychologist of her choosing on July 15, 2010, and July 16, 2010. Ms. Hollar testified that she agrees with this evaluation including that evaluator's reliance on her primary care physician's report that he never felt that Ms. Hollar had abused alcohol or controlled medications. She currently takes prescribed narcotic medication for degenerative joint disease and medications to treat her depression and panic attacks. Ms. Hollar testified that she is willing to enter into outpatient therapy as recommended by the second evaluator.

#### **CONCLUSIONS OF LAW**

1. Findings of Fact Nos. 3 and 4 constitute a violation of Term No. 2 of the Board's Order entered August 11, 2009.
2. Finding of Fact No. 5 constitutes a violation § 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. Audrey Hollar, R.N., is hereby REPRIMANDED.
2. License No. 0001-117631 issued to Audrey Hollar, R.N., to practice professional nursing in the Commonwealth of Virginia, shall continue to be INDEFINITELY SUSPENDED.
3. The license will be recorded as suspended.
4. At such time as Ms. Hollar shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Hollar shall be responsible for any fees that may

be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.

5. This suspension applies to any multistate privilege to practice professional nursing.

6. Said suspension shall be STAYED upon proof that Ms. Hollar has entered into the Health Practitioners' Monitoring Program ("HPMP") and upon the condition that she remain compliant with the terms of her contract with the HPMP and the following terms and conditions:

a. Ms. Hollar shall comply with all terms and conditions 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. Hollar 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. Hollar 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.

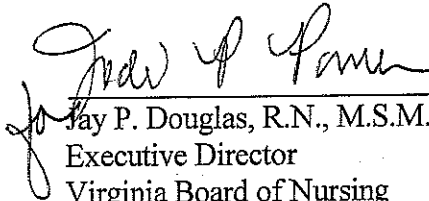
7. Upon receipt of evidence of Ms. Hollar's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Hollar's appearance before the Board, and conduct an administrative review of this matter.

8. This Order shall be applicable to Ms. Hollar's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. It is further ordered that for the duration of this Order, Ms. Hollar 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.

9. Ms. Hollar 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

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

August 11, 2010  
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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, R.N., M.S.M., C.S.A.C., 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.