

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: DEBORAH H. BRADLEY, R.N. REINSTATEMENT APPLICANT
License No.: 0001-066306

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 21, 2014, in Henrico County, Virginia, to receive and act upon Deborah H. Bradley's application for reinstatement of her license to practice professional nursing in Virginia and to inquire into evidence that Ms. Bradley may have violated certain laws and regulations governing nursing practice in Virginia. The case was presented by Anne Glick Joseph, Deputy Director, Administrative Proceedings Division. Erin Barrett, Assistant Attorney General, was present as legal counsel for the Board. Ms. Bradley was not 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. Deborah H. Bradley was issued License No. 0001-066306 to practice professional nursing in the Commonwealth of Virginia on September 9, 1977. Said license expired on August 31, 2001, and Ms. Bradley's right to renew said license was suspended by Order of the Board entered February 25, 2002. The Order was based on numerous violations of the laws and regulations governing the practice of nursing, including findings that Ms. Bradley had falsified patient records, obtained medications for unauthorized use, made numerous documentation errors, and was unable to safely practice nursing due to substance abuse.

2. Based upon the representations of Anne Joseph, Administrative Proceedings Division, and Commonwealth's Exhibit #1, the Notice of Formal Hearing and Statement of Particulars, and the Affidavit of Mailing, and **a telephone call** from Ms. Bradley stating that she intended to request a continuance, although no

such request for continuance was received by the Board, the presiding officer ruled that adequate notice was provided to Ms. Bradley and the hearing proceeded in her absence.

3. On May 11, 2011, the Board denied Ms. Bradley's first application for reinstatement of her license to practice professional nursing and continued the suspension of her right to renew her license. This Order was based on findings that Ms. Bradley had provided false information on her reinstatement application and to an investigator for the Department of Health Professions, and that she suffered from substance abuse and mental and/or physical abuse.

4. Ms. Bradley submitted a second application for reinstatement of her license on July 30, 2013.

5. On her second application for reinstatement of her license, Ms. Bradley answered "NO" to the question "Do you have a mental, physical, or chemical dependency condition which could interfere with your current ability to practice nursing?" when, in fact, by her own admission, Ms. Bradley has applied for disability and has been diagnosed with fibromyalgia, cervical lumbar and spine disease and chronic fatigue syndrome.

6. The Board found that Ms. Bradley did not meet her burden that she could resume safe and competent practice by clear and convincing evidence.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 5 constitutes a violation of § 54.1-3007(1) and (6) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing.

ORDER

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

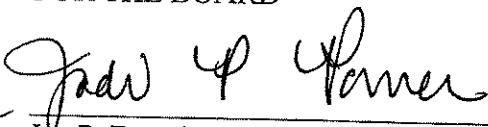
1. The application of Deborah H. Bradley for reinstatement of her right to renew License No. 0001-066306 to practice professional nursing in the Commonwealth of Virginia is hereby DENIED. Further, it is hereby ORDERED that Ms. Bradley's right to renew her license be CONTINUED on INDEFINITE SUSPENSION. 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. Should Ms. Bradley 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 prior to issuance of her license to resume practice.

2. The license shall be recorded as suspended.
3. This Order shall be applicable to Ms. Bradley's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia.

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

for 

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

May 29, 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, 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.