

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: KRISTINE A. OLSON-HARLEY, R.N.
License No.: 0001-077952**

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 March 23, 2016, in Henrico County, Virginia, to inquire into evidence that Kristine A. Olson-Harley, R.N. may have violated certain laws and regulations governing professional nursing practice in Virginia and certain terms and conditions imposed on her, as set forth in the Order of the Board entered on April 10, 2014. The case was presented by Amy E. Weiss, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Olson-Harley 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. Kristine A. Olson-Harley, R.N. was issued License Number 0001-077952 to practice professional nursing in the Commonwealth of Virginia on September 10, 1980. Said license was mandatorily suspended by Order of the Director of the Department of Health Professions on June 25, 2013. By Order of the Board entered April 10, 2014, Ms. Olson-Harley's license was continued on indefinite suspension, with the suspension stayed contingent on certain conditions. The stay of suspension was summarily rescinded on December 15, 2015. Ms. Olson-Harley's primary state of residence is Virginia.
2. Based upon the representations of Amy Weiss, Adjudication Specialist, and Commonwealth's Exhibit #1, the Notice of Formal Hearing, Statement of Particulars and Amended Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in her

absence.

3. Ms. Olson-Harley's license was mandatorily suspended by Order of the Director of Health Professions entered June 25, 2013. The mandatory suspension was based upon evidence that the privilege of Ms. Olson-Harley to practice nursing through the Nurse Licensure Compact in the State of Tennessee was revoked by Consent Order entered May 8, 2013. The Tennessee Order was based on findings that Ms. Olson-Harley tested positive for marijuana in a for-cause drug screen after a community member reported that Ms. Olson-Harley stated that she smoked marijuana in her car while at work.
4. Ms. Olson-Harley signed a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") on February 3, 2014.
5. By Order of the Board of Nursing entered April 10, 2014 ("Board's Order"), the Board continued the indefinite suspension of Ms. Olson-Harley's license, and stayed the suspension contingent upon Ms. Olson-Harley's continued compliance with the HPMP. The Order was based on findings of Ms. Olson-Harley's admitted history of marijuana use.
6. During the course of her participation in the HPMP:
 - a. On February 19, 2014, Ms. Olson-Harley underwent an intake substance abuse assessment and was diagnosed with cannabis abuse. As of November 13, 2015, Ms. Olson-Harley continued to have a diagnosis of cannabis abuse, r/o dependence.
 - b. On March 23, 2015, Ms. Olson-Harley submitted a urine drug screen that tested positive for alcohol.
 - c. On October 14, 2015, Ms. Olson-Harley submitted a urine drug screen that tested positive for marijuana.
 - d. Ms. Olson-Harley's therapist reported that Ms. Olson-Harley had failed to report to group therapy on October 22, 2015.
 - e. Ms. Olson-Harley failed to enter an intensive outpatient program for treatment, as

recommended by the HPMP.

7. On November 20, 2015, Ms. Olson-Harley was dismissed from the HPMP for continued noncompliance with the toxicology screening program and treatment, failure to maintain communication with the HPMP, continued use of marijuana, and failure to enter an intensive outpatient program as recommended.

8. On November 21, 2015, Ms. Olson-Harley told an investigator for the Department of Health Professions ("DHP") that she did not have a problem with marijuana and that she had no interest in returning to the HPMP. She also told the investigator that she is no longer attending counseling or Narcotics Anonymous meetings.

CONCLUSIONS OF LAW

The Board concludes that:

1. Findings of Fact Nos. 6(a) through 6(e) constitute a violation of § 54.1-3007(6) of the Code.
2. Finding of Fact No. 7 constitutes a violation of Term 2 of the Board's Order entered April 10, 2014.

ORDER

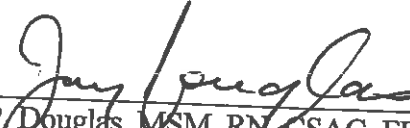
WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. Kristine A. Olson-Harley, R.N. is hereby REPRIMANDED.
2. License No. 0001-077952 issued to Kristine A. Olson-Harley, L.P.N. to practice professional nursing in the Commonwealth of Virginia is hereby CONTINUED on INDEFINITE SUSPENSION for a period of not less than one year.
3. At such time as Ms. Olson-Harley 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. Olson-Harley's multistate licensure privileges, if any, to practice professional nursing.

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

April 12TH, 2016
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, 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.

Certified True Copy
By 

Virginia Board Of Nursing