

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

JAN REINHEIMER, R.N.

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on September 4, 2008 in Henrico County, Virginia. Ms. Reinheimer was not present nor was she represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On November 19, 2008, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Reinheimer was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Jan Reinheimer, R.N., was issued License No. 0001-199013 to practice professional nursing in Virginia on November 9, 2005. The license is current and expires on May 31, 2009.
2. By letter dated August 1, 2008, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Reinheimer notifying her that an informal conference would be held on September 4, 2008. The Notice was sent by certified and first class mail to 4302 Sugarleaf Court, Virginia Beach, VA 23462, the address of record on file with the Board of Nursing. By letter to Tonya James, Compliance Case Manager, Ms. Reinheimer indicated that she would not attend the informal conference. The Agency Subordinate concluded that Ms. Reinheimer received adequate notice and the informal conference

proceeded in her absence.

3. Following an informal conference, the Board entered an Order on August 2, 2007, finding that Ms. Reinheimer had altered a prescription for Vicodin (hydrocodone, Schedule III) and had been charged criminally for this offense. The Board ordered Ms. Reinheimer to undergo a substance abuse evaluation and have a written report of the evaluation, including a diagnosis, recommended course of therapy, prognosis, and any other recommendations submitted to the Board for final disposition. Ms. Reinheimer was also ordered to comply with any recommendations of the evaluator.

4. Ms. Reinheimer completed the substance abuse evaluation, which was received in the Board office on October 18, 2007.

5. The evaluator found that Ms. Reinheimer's diagnosis was opioid abuse, in sustained full remission. She recommended that Ms. Reinheimer be allowed to continue the practice of nursing, contingent upon two years of professional monitoring, psychotherapy and random drug testing. She also recommended that Ms. Reinheimer be required to submit self-reports and have her work site supervisor and psychotherapist also submit reports.

6. Ms. Reinheimer began submitting self-reports, as recommended by the evaluator, in November 2007. She has enrolled in individual substance abuse treatment at New Life Substance Abuse and Behavioral Consultants. She is subject to random drug screens through this program.

7. On March 13, 2008, the Circuit Court for the City of Chesapeake, Virginia, dismissed one of Ms. Reinheimer's felony charges and reduced the other to a misdemeanor, pursuant to Ms. Reinheimer's having successfully completed the "first offender" program. She was released from supervised probation on that date. According to her probation officer, all required urine drug screens were negative.

CONCLUSIONS OF LAW

The disposition of this matter is properly before the Board.

ORDER

WHEREFORE, it is hereby ORDERED as follows:


1. License No. 0001-199013, issued to Jan Reinheimer to practice professional nursing in the Commonwealth of Virginia, is hereby INDEFINITELY SUSPENDED.
2. The license shall be recorded as SUSPENDED and no longer current.
3. This suspension shall be STAYED upon proof of entry into the Health Practitioners' Intervention Program ("HPIP") pursuant to Chapter 25.1 of Title 54.1 of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPIP. At such time, the indefinite suspension shall be STAYED and the following terms and conditions shall apply:
  - a. Ms. Reinheimer shall comply with all terms and conditions for the period specified by the HPIP.
  - 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. Reinheimer, and an administrative proceeding shall be held to determine 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. Reinheimer is not in compliance with the terms and conditions specified by the HPIP;
    - ii. Ms. Reinheimer's participation in the HPIP has been terminated;
    - iii. There is a pending investigation or unresolved allegation against Ms. Reinheimer involving a violation of law, regulation, or any term or condition of this order.
4. This Order is applicable to Ms. Reinheimer's multistate licensure privileges, if any, to

practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Reinheimer shall 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. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

Since Ms. Reinheimer failed to appear at the informal conference, this Order shall be considered final. Ms. Reinheimer has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Reinheimer has thirty (30) days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within 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, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

Pursuant to § 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.

FOR THE BOARD

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

Entered: December 12<sup>th</sup>, 2008

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed this day to Jan Reinheimer, R.N., at 4302 Sugarleaf Court, Virginia Beach, VA 23462.

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

December 12<sup>th</sup>, 2008  
DATE

**Certified True Copy**

By dgraham

**Virginia Board of Nursing**