



# COMMONWEALTH of VIRGINIA

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Director

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Virginia Board of Nursing  
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Executive Director

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## NOTICE OF INFORMAL CONFERENCE

January 10, 2014

Kirsten Bray, R.N. Reinstatement Applicant  
3902 City Avenue Adams #620  
Philadelphia, Pennsylvania 19131

**CERTIFIED MAIL**  
**7196 9008 9111 9190 5930**

**Re: VA License No.: 0001-184670**  
**Expiration Date: September 17, 2004**

Dear Ms. Bray:

This is official notification that an informal conference will be held pursuant to §§2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), **on February 3, 2014, at 1:00 p.m.** at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Richmond, Virginia 23233. You may be represented by an attorney at the conference. This informal conference will be convened as a public meeting pursuant to §2.2-3700 *et seq.* of the Code.

The Special Conference Committee ("Committee"), which is comprised of at least two members of the Virginia Board of Nursing ("Board"), will receive and act upon your application for the reinstatement of your license to practice professional nursing in the Commonwealth of Virginia, which was indefinitely suspended by Consent Order of the Board entered September 17, 2004, and will inquire into allegations that you may have violated certain laws and regulations governing the practice of professional nursing in Virginia.

Specifically:

1. You may have violated § 54.1-3007(6) of the Code in that you may be unsafe to practice professional nursing due to chemical dependence and mental illness as evidenced by Allegation No. 2 and the following:

a. You admitted on or about October 22, 2013, to a Department of Health Professions investigator that from September 2004 to September 2011, while enrolled in the Virginia Health Practitioners' Monitoring Program ("HPMP" formerly known as the Health Practitioners' Intervention program) and the Florida Intervention Program for Nurses, you self-medicated with marijuana.

b. On or about November 8, 2013, your psychiatrist reported that he diagnosed you with mood disorder, not otherwise specified, with a rule out of possible bipolar disorder.

2. You may have violated § 54.1-3007(2), (5), (6), (7) and (8) of the Code and 18 VAC 90-20-300(A)(2)(c), (e), and (f) of the Regulations Governing the Practice of Nursing in that the Florida Board of Nursing entered a Final Order on or about August 7, 2012, that accepted your voluntary relinquishment of your license to practice professional nursing. This action was based on findings that while you were employed at J.F.K. Medical Center, Atlantis, Florida, in September 2011, a review of your documentation for administering medications for two patients revealed on several occasions you did not document wasting or removing all of the narcotics or benzodiazepines you removed for the patients. Moreover, on several occasions you failed to document your reason for administering the medications, and you administered the medications earlier than authorized by the treating physician. In addition, an audit of your Pyxis activity discovered that you dispensed narcotics 95% more often than your co-workers. You resigned from J.F.K. Medical Center rather than submit to a drug screen.

3. You may have violated § 54.1-3007(7) of the Code in that by Final Adjudication and Order entered January 23, 2006, the Pennsylvania State Board of Nursing revoked your license to practice professional nursing based on findings that your license to practice professional nursing in Virginia was indefinitely suspended.

4. You may have violated § 54.1-3007(4) of the Code in that on or about October 27, 2004, in the Fairfax County, Virginia, General District Court, you were convicted of petit larceny, a misdemeanor involving moral turpitude.

The burden of providing evidence satisfactory to the Board that you are prepared to resume the competent practice of professional nursing with reasonable skill and safety to patients rests with you.

After the informal conference, the Committee is authorized by §54.1-2400(10) of the Code to take any of the following actions:

- The Committee may reinstate your license to practice professional nursing in the Commonwealth without restriction;
- The Committee may reinstate your license and place you on probation for such time as it may designate and subject to such terms and conditions as it may deem appropriate, reprimand you, or impose a monetary penalty;
- The Committee may deny your application for reinstatement of your license;

Further, the Committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing. If the Committee is of the opinion that suspension or revocation may be justified, the Committee may offer you a Consent Order for suspension or revocation in lieu of a formal hearing.

If you fail to appear at the informal conference, the Committee may proceed to hear the case in your absence and may take any of the actions outlined above. At least ten days prior to the scheduled date of the

conference, please inform this office at (804) 367-4515, or in writing at the address listed above, of your telephone number and whether you intend to appear at the informal conference.

To facilitate this proceeding, you should submit five copies of any documents you wish the Committee to consider to the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, by **January 27, 2014**. Your documents may not be submitted by facsimile or email.

You have the right to the information on which the Board will rely in making its decision. Therefore, I have enclosed a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the original notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

Also enclosed are copies of the relevant sections of the Administrative Process Act, which governs proceedings of this nature, as well as the relevant laws and regulations governing the practice of nursing in Virginia.

In the event of inclement weather, please be advised that Board of Nursing hearings will be held unless state offices are closed. Please listen to television or radio announcements to provide information about official state closings or delays. If there is a delayed opening, hearings will begin at the time of the agency opening. A recorded announcement pertaining to closings or delays will also be available by calling the main telephone number for the Department of Health Professions at (804) 367-4400.

Sincerely,



Brenda Krohn, R.N., M.S.  
Deputy Executive Director

BK/lba

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division  
Special Conference Committee Members  
James E. Rutkowski, Adjudication Specialist  
Patricia Sheehan, Senior Investigator (153129)