

DEC 16 2013

DHP

VIRGINIA:

0002-090193

BEFORE THE BOARD OF NURSING

IN RE:

BROOKE HOLCOMB, L.P.N. APPLICANT

**CONSENT ORDER**

The Virginia Board of Nursing ("Board") and Brooke Holcomb, as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Holcomb's application for licensure by examination to practice practical nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. By application received October 8, 2013, Brooke Holcomb applied for licensure by examination as a practical nurse in the Commonwealth of Virginia. Ms. Holcomb declared Virginia as her primary state of residence.
2. In the Circuit Court of the Tenth Judicial Circuit, Polk County, Florida, Ms. Holcomb was convicted of the following:
  - a. On February 15, 2011, she was convicted of driving under the influence. She was sentenced to 12 months probation, subject to terms and conditions, and ordered to pay court costs.
  - b. On October 20, 2008, she was convicted of misdemeanor possession of drug paraphernalia. She was sentenced to twelve months probation, which was terminated on July 10, 2009, and ordered to pay court costs.
  - c. On December 10, 2007, she was convicted of four counts of misdemeanor obtaining property with a worthless check. She was sentenced to 12 months probation and ordered to pay restitution, court costs, and fees.

3. In the Virginia Beach, Virginia, General District Court, on October 4, 2005, Ms. Holcomb was convicted of first offense driving under the influence. She was sentenced to two years of probation and ordered to pay fines and court costs.

4. Ms. Holcomb submitted to the Board a certificate from the Tri-County Human Services, Lakeland, Florida, which states that on February 21, 2011, she completed a court-ordered curriculum of substance abuse and driving education.

### **CONCLUSIONS OF LAW**

1. Findings of Fact Nos. 2(a), 2(b), and 3 constitute a violation of § 54.1-3007(6) of the Code of Virginia (1950), as amended (“Code”).

2. Finding of Fact No. 2(c) constitutes a violation of § 54.1-3007(4) of the Code

3. Ms. Holcomb otherwise meets the requirements of § 54.1-3020 of the Code.

### **CONSENT**

Brooke Holcomb, by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;

2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;

3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;

4. She waives all such right to an informal conference;

5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the

Board;

6. She consents to the entry of the following Order affecting her application for licensure by examination to practice practical nursing in Virginia.

**ORDER**

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. The application of Brooke Holcomb for licensure by examination as a practical nurse is APPROVED. Upon successful completion of the NCLEX-PN examination, Ms. Holcomb shall be issued an unrestricted license to practice as a practical nurse in the Commonwealth.

2. Ms. Holcomb is hereby REPRIMANDED.

3. Ms. Holcomb shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Regulations Governing the Practice of Nursing.

Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Consent 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 upon request.

FOR THE BOARD:

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

ENTERED: December 20<sup>th</sup>, 2013

SEEN AND AGREED TO:

Brooke Holcomb  
Brooke Holcomb

COMMONWEALTH OF VIRGINIA,  
COUNTY/CITY OF Virginia Beach, TO WIT:

Subscribed and sworn to before me, Brooke Holcomb, a Notary Public, this 13<sup>th</sup> day of December, 2013.

My commission expires April 30<sup>th</sup>, 2016.

Registration Number 7518977.

Ashley McClain  
NOTARY PUBLIC

