

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: JENNIFER L. HULTZMAN, R.N.  
License No.: 0001-180580**

**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 August 27, 2013, in Henrico County, Virginia. Jennifer L. Hultzman, R.N., was present and was not represented by legal counsel. Janet B. Younger, R.N., P.N.P., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On November 19, 2013, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Hultzman 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. Jennifer L. Hultzman, R.N., was issued License No. 0001-180580 on July 16, 2002 to practice professional nursing in Virginia. The license is scheduled to expire on September 30, 2015. Ms. Hultzman also holds License No. 0002-053719, which expired on September 30, 2003, to practice practical nursing. Her primary state of residence is Virginia.

2. By letter dated August 6, 2013, the Board of Nursing sent an Amended Notice of Informal Conference ("Notice") to Ms. Hultzman notifying her that an informal conference would be held on August 27, 2013. The Notice was sent by certified and first class mail to 306 Charlotte Drive, Portsmouth, Virginia 23701, the address of record on file with the Board of Nursing.

3. During the course of her employment with Sentara Norfolk General Hospital, Norfolk, Virginia, from May 13 to May 14, 2012, Ms. Hultzman failed to assess Patients A, B, and C, who were all assigned to her.
4. During the course of her employment with ATC Healthcare, on April 24, 2013, while on assignment at Bon Secours Maryview Medical Center, Portsmouth, Virginia, Ms. Hultzman was impaired while on duty. She was observed to have slurred speech, swaying, and falling asleep. Ms. Hultzman was assigned five patients in the telemetry unit and failed to perform charting on any of the patients during the entire shift.
5. On April 24, 2013, Ms. Hultzman ingested prescribed Vicodin (hydrocodone, Schedule III) in addition to using a fentanyl patch (Schedule II) that she obtained from a friend.
6. Ms. Hultzman abused Percocet (oxycodone/APAP, Schedule II) and Xanax (alprazolam, Schedule IV) that she obtained from a friend.
7. On May 29, 2013, Ms. Hultzman entered a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") and acknowledged a history of substance abuse and psychiatric illness. Ms. Hultzman entered a Recovery Monitoring Contract with the HPMP on August 26, 2013. In a report dated August 20, 2013, the HPMP intake Admission Coordinator stated that Ms. Hultzman had completed a substance abuse assessment and entered an intensive outpatient treatment program.

#### CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing ("Regulations").
2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(2), (5), (6), and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations.

3. Findings of Fact Nos. 5, 6, and 7 constitute a violation of § 54.1-3007(6) of the Code.

**ORDER**

WHEREFORE, it is hereby ORDERED as follows:


1. Jennifer L. Hultzman, R.N., is hereby REPRIMANDED.
2. Ms. Hultzman shall comply with all terms and conditions of the HPMP for the period specified by the HPMP. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Jennifer L. Hultzman, R.N., and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Hultzman shall be noticed to appear before the Board at such time as the Board is notified that:
  - a. Ms. Hultzman is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
  - b. There is a pending investigation or unresolved allegation against Ms. Hultzman involving a violation of law or regulation or any term or condition of this Order; or
  - c. Ms. Hultzman has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Hultzman's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Hultzman's appearance before the Board and conduct an administrative review of this matter.
3. This Order is applicable to Ms. Hultzman's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Hultzman 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.

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

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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Hultzman may, not later than 5:00 p.m., on January 13, 2014, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD:

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

ENTERED: December 10<sup>th</sup>, 2013

This Order shall become final on January 13, 2014 unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By   
Virginia Board of Nursing