

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       CRYSTAL A. DONAVANT, L.P.N.**  
**License No.: 0002-085079**

**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 October 16, 2013, in Henrico County, Virginia. Crystal A. Donavant, L.P.N., was not present nor was she represented by legal counsel. Janet B. Younger, Ph.D., R.N., P.N.P., 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. Donavant 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. Crystal A. Donavant, L.P.N., was issued License No. 0002-085079 to practice practical nursing in Virginia on July 5, 2011. The license is scheduled to expire on November 30, 2013. Her primary state of residence is Virginia.
2. By letter dated September 13, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Donavant notifying her that an informal conference would be held on October 16, 2013. The Notice was sent by certified and first class mail to 1392 Big Bethel Road, Hampton, Virginia 23666, the address of record on file with the Board of Nursing. Neither the certified mail nor the first class mail was returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Donavant, and the informal conference proceeded in her absence.

3. Ms. Donavant has a history of substance abuse, for which she has received treatment. Ms. Donavant relapsed in March 2012 by using heroin for approximately four months. She acknowledged going to work at Riverside Behavioral Health Center, Hampton, Virginia, under the influence of heroin.

4. Ms. Donavant entered outpatient treatment for opiate addiction with American Treatment Center in September 2012. The treatment included methadone, group therapy, and individual therapy.

5. Ms. Donavant entered into a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") on November 12, 2012, and signed her first Recovery Monitoring Contract on December 17, 2012. On November 27, 2012, Ms. Donavant was placed on pre-dismissal status for accepting a non-nursing position at Riverside Behavioral Health Center without the HPMP's permission. On February 5, 2013, Ms. Donavant was placed on warning status after submitting a hair test which was positive for heroin. Ms. Donavant admitted to relapsing the first week of November, prior to her HPMP orientation. On May 31 and June 11, 2013, Ms. Donavant failed to call the drug screen test line. She was placed on pre-dismissal status and was required to attend re-orientation with her case manager. In a report dated October 15, 2013, the HPMP reported that Ms. Donavant is currently in compliance with her contract.

### CONCLUSIONS OF LAW

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

### ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. The Board shall TAKE NO ACTION at this time contingent on Ms. Donavant's continued compliance with the terms and conditions of the HPMP for the period specified by the HPMP.

2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Donavant, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Donavant shall be noticed to appear before the Board at such time as the Board is notified that:

- a. She 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 her involving a violation of law or regulation or any term or condition of this Order; or
- c. She has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Donavant's participation in and compliance with the HPMP, the Board, at its discretion, may waive her appearance before the Board and conduct an administrative review of this matter.

3. This Order is applicable to Ms. Donavant's multistate licensure privileges, if any, to practice practical nursing. For the duration of this Order, Ms. Donavant 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. Donavant 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 Board of Nursing Regulations.

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.

Since Ms. Donavant failed to appear at the informal conference, this Order shall be considered final. Ms. Donavant 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. Donavant 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, M.S.M., R.N., C.S.A.C., F.R.E.,

Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia  
23233. In the event that this decision is served by mail, three (3) days are added to that period.

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 9<sup>th</sup>, 2013

**Certified True Copy**

By   
Virginia Board of Nursing