

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: CRYSTAL L. PLOGGER, L.P.N. REINSTATEMENT APPLICANT
License No.: 0002-052864

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on August 19, 2013, in Henrico County, Virginia, to receive and act upon Crystal L. Plogger’s application for reinstatement of her license to practice practical nursing in Virginia and inquire into evidence that Ms. Plogger may have violated certain laws and regulations governing practical nursing practice. Ms. Plogger was present and was not represented by counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Crystal L. Plogger, L.P.N., was issued License No. 0002-052864 to practice practical nursing in the Commonwealth of Virginia on June 3, 1996. Said license was suspended by Order of the Board entered on February 7, 2011. Ms. Plogger’s primary state of residence is Virginia.
2. By letter dated July 24, 2013, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Plogger notifying her that an informal conference would be held on August 19, 2013. The Notice was sent by certified and first class mail to 1037 Oak Street, Martinsville, Virginia, 24112, the address of record on file with the Board of Nursing.
3. Ms. Plogger submitted an application for reinstatement of her license to practice practical nursing, which was received by the Board on February 26, 2013.

4. On June 3, 2009, the Board entered an Order taking no action against Ms. Plogger contingent upon her entry into the Health Practitioners' Monitoring Program ("HPMP"). This action was based on findings that Ms. Plogger had appeared impaired at work and that she was abusing prescription medication.

5. On July 22, 2009, Ms. Plogger signed a Participation Contract with the HPMP. Ms. Plogger was dismissed from the HPMP on April 19, 2010, for noncompliance, including failing to comply with the urine toxicology screening program and failure to enter recommended intensive outpatient treatment for substance abuse. Ms. Plogger stated at the informal conference that at the time, she could no longer afford the cost associated with the monitoring program.

6. On February 7, 2011, Ms. Plogger's license to practice practical nursing was indefinitely suspended secondary to her dismissal from the HPMP.

7. Ms. Plogger stated that she was diagnosed with bipolar disorder following birth of her child in 2001. Her bipolar disorder was treated with a number of different medications between 2001 and 2009. Ms. Plogger stated that the medications caused a number of side effects that affected her ability to function normally.

8. In 2009, Ms. Plogger ended the use of all medication for treatment of her bipolar disorder. She stated that she has been doing much better without medication and that she has had no incidents related to her bipolar disorder. Ms. Plogger stated that she does not currently take any medication.

9. Ms. Plogger stated that at the informal conference that she would be willing to submit to a mental health evaluation or re-enter the Health Practitioners' Monitoring Program.

CONCLUSION OF LAW

The Committee defers making any Conclusions of Law pending the receipt of a mental health evaluation of Ms. Plogger as specified in this Order.

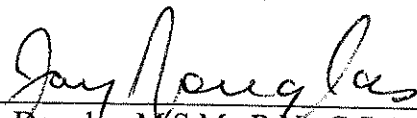
ORDER

On the basis of the foregoing, the Committee hereby ORDERS that Ms. Plogger shall have an evaluation by a mental health specialist satisfactory to the Board and shall have a written report of the evaluation, including a diagnosis, recommended course of therapy, prognosis, and any recommendations sent to the Board within 60 days after the date that this Order is entered. Upon receipt of the required information, the Board may request that Ms. Plogger reappear before a Special Conference Committee in order to consider the specialist's recommendations and to make a final disposition of the matter, or the Board may conduct an administrative review of this matter and reinstate Ms. Plogger's license to practice practical nursing without restriction.

Pursuant to §§ 2.2-4023 and 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 public record and shall be made available for public inspection or copying on request.

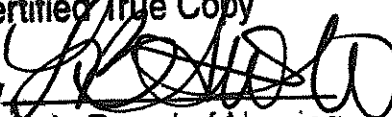
Pursuant to Section 54.1-2400(10) of the Code, Ms. Plogger may, not later than 5:00 p.m., on **October 15, 2013**, notify Jay P. Douglas, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia, 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:


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

ENTERED: September 9th, 2013

This Order shall become final on **October 15, 2013**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 
Virginia Board of Nursing