

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: CRYSTAL EANES, L.P.N.**

**ORDER**

Pursuant to §§2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on May 21, 2009, in Henrico County, Virginia, to inquire into evidence that Crystal Eanes, L.P.N., may have violated certain laws and regulations governing the practice of nursing in Virginia. The case was presented by Wendell Roberts, Adjudication Specialist, Administrative Proceedings Division. Howard M. Casway, Senior Assistant Attorney General, was present as legal counsel for the Board. Crystal Eanes, L.P.N., was present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. Crystal Eanes, L.P.N., was issued License No. 0002-052864 to practice as a practical nurse by the Virginia Board of Nursing on June 3, 1996. Said license is set to expire on August 31, 2009.
2. During the course of her employment at Piedmont Medical Renal Associates, Eden, North Carolina, on various occasions from July 18, 2006 through February 28, 2008, Ms. Eanes failed to appear for work as scheduled, and, when she did appear, was noted to seem drowsy.
3. Further, on at least one occasion, Ms. Eanes was drowsy at work, and told a co-worker that she had taken too much of her medication.

4. Ms. Eanes has a history of bi-polar disorder and substance abuse. Her treating physician reported a concern for Ms. Eanes' condition as result of incidences involving slurred speech and reports from a family member that she has been abusing prescription medications. He recommended that Ms. Eanes enter into the Virginia Health Practitioners' Intervention Program ("HPIP") as he believes she needs monitoring to continue to be able to practice safely. Ms. Eanes was hospitalized voluntarily in March 2008, in order to stabilize her medication usage.

5. A representative of Ms. Eanes' current employer, Piedmont Medical Renal Associates, appeared before the Board and testified favorably on her behalf, reporting her to be a reliable employee, so long as she remains compliant with her current medication.

#### **CONCLUSIONS OF LAW**

The Board concludes that:

1. Findings of Fact #2 and #3 constitute violations of §54.1-3007(5) and (6) of the Code.
2. Finding of Fact #4 constitutes a violation of §54.1-3007(6) of the Code.

#### **ORDER**

WHEREFORE, effective upon entry of this Order, it is hereby ORDERED as follows:

1. The Board shall TAKE NO ACTION contingent upon Ms. Eanes entering into the Health Practitioners' Intervention Program ("HPIP") within 45 days of the execution of this Order and remaining in compliance with the following terms and conditions:

a. Ms. Eanes shall comply with all terms and conditions for the period specified by the HPIP.

b. Any violation of the terms and conditions stated in this Order shall be reason for the summary suspension of the license of Ms. Eanes, and an administrative proceeding shall be held to decide whether her license shall be revoked. The summary suspension shall take effect at such time the Board is notified that:

i. Ms. Eanes is not in compliance with the terms and conditions specified by the HPIP, or has been terminated from participation in the HPIP, or

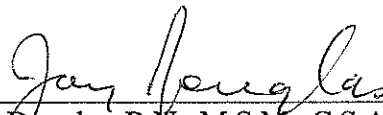
ii. There is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of this Order.

2. This Order shall be applicable to Ms. Eanes' multistate licensure privileges, if any, to practice as a practical nurse in the Commonwealth of Virginia. It is further ordered that for the duration of this Order, Ms. Eanes may 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.

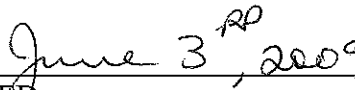
3. Ms. Eanes shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of §54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

Pursuant to §§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.

FOR THE BOARD



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




ENTERED

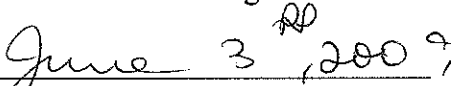
**NOTICE OF RIGHT TO APPEAL**

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

**Certificate of Service**

I hereby certify that a true copy of the foregoing Order was mailed on this day to Crystal Eanes, L.P.N., at 1055 Graves Street, Martinsville, Virginia 24112.

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

  
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DATE