

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: ROBIN HENSLEY, R.N.
 License No.: 0001-213485**

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 July 9, 2013, in Henrico County, Virginia. Robin Hensley, 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 September 18, 2013, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Hensley 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. Robin Hensley, R.N., was issued License No. 0001-213485 to practice professional nursing in Virginia on July 1, 2008. The license is scheduled to expire on April 30, 2015. Her primary state of residence is Virginia.
2. By letter dated June 13, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Hensley notifying her that an informal conference would be held on July 9, 2013. The Notice was sent by certified and first class mail to 507 Barkman Avenue, Elkton, Virginia 22827, the address of record on file with the Board of Nursing.
3. During the course of her employment with Rockingham Memorial Hospital, Harrisonburg,

Virginia, on several occasions in October 2012, Ms. Hensley withdrew narcotic medications and diverted them for her personal and unauthorized use, as evidenced by the following:

- a. On October 2, 2012 at 14:56 hours, Ms. Hensley withdrew Percocet (oxycodone/APAP, Schedule II) for Patient A after she was discharged.
 - b. On October 3, 2012 at 13:38 hours, Ms. Hensley withdrew morphine (Schedule II) for Patient B and failed to document administration or wastage.
 - c. On October 3, 2012 at 14:15 hours, Ms. Hensley withdrew Vicodin (hydrocodone, Schedule III) for Patient C and failed to document administration or wastage.
 - d. On October 7, 2012 at 13:24 hours, Ms. Hensley withdrew Roxicodone (oxycodone, HCl, Schedule II) for Patient D and failed to document administration or wastage.
 - e. On October 10, 2012 at 08:30 hours, Ms. Hensley withdrew two Percocet tablets for Patient E; however, the patient was ordered one tablet. She failed to document administration or wastage of the second tablet.
 - f. On October 10, 2012 at 11:20 hours, Ms. Hensley withdrew Dilaudid (hydromorphone, Schedule II) for Patient F and failed to document administration or wastage.
 - g. On October 10, 2012 at 12:44 hours, Ms. Hensley withdrew Dilaudid for Patient G and failed to document administration or wastage. Further, this patient was assigned to another nurse.
 - h. On October 10, 2012 at 13:31 hours, Ms. Hensley withdrew Percocet for Patient H and failed to document administration or wastage.
 - i. On October 10, 2012 at 14:10 hours, Ms. Hensley withdrew Percocet for Patient I and failed to document administration or wastage. Further, the patient's nurse had already administered Percocet at 13:25 hours.
4. On October 18, 2012, Ms. Hensley submitted to a drug screen which was positive for

marijuana and fentanyl (Schedule II), for which she did not have a prescription.

5. Ms. Hensley admitted to diverting medications and using a fentanyl patch, due to back pain. Her employment with Rockingham Memorial Hospital was terminated in November, 2012 as a result. She is currently unemployed.

6. As of the date of the informal conference, Ms. Hensley was not enrolled in the Virginia Health Practitioners' Monitoring 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)(c) and (f) of the Regulations Governing the Practice of Nursing.
2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. License No. 0001-213485 of Robin Hensley, R.N., is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Hensley shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Hensley shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.
4. This suspension applies to any multistate privilege to practice professional nursing.
5. This suspension shall be STAYED upon proof of entry into the Health Practitioners' Monitoring Program ("HPMP") pursuant to Chapter 25.1 of Title 54.1 of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPMP. At such time, the indefinite suspension shall be

STAYED and the following terms and conditions shall apply:

a. Ms. Hensley shall comply with all terms and conditions for the period specified by the HPMP.

b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Robin Hensley, R.N., and an administrative proceeding shall be held to determine whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:

i. Ms. Hensley is not in compliance with the terms and conditions specified by the HPMP;

ii. Ms. Hensley's participation in the HPMP has been terminated;

iii. There is a pending investigation or unresolved allegation against Ms. Hensley involving a violation of law, regulation, or any term or condition of this order.

6. Upon receipt of evidence of Ms. Hensley's participation and successful completion of the HPMP, the Board, at its discretion, may waive Ms. Hensley's appearance before a Committee and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

7. This Order is applicable to Ms. Hensley's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Hensley 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.

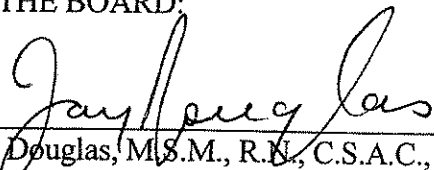
8. Ms. Hensley shall maintain a course of conduct in her capacity as a professional nurse

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. Hensley may, not later than 5:00 p.m., on November 5, 2013 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.

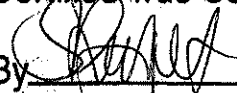
FOR THE BOARD:


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

ENTERED: October 3RD, 2013

This Order shall become final on November 5, 2013 unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 
Virginia Board of Nursing