

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: EMMA TOWNES, L.P.N.

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, 54.1-2400(10), and 54.1-3010 of the Code of Virginia (1950), as amended (the "Code"), a Special Conference Committee (the "Committee") of the Board of Nursing (the "Board") met on January 13, 2004, in Henrico County, Virginia, to receive and act upon evidence regarding the petition of Emma Townes for reinstatement of her license to practice practical nursing in the Commonwealth of Virginia, which was indefinitely suspended by an Order of the Board entered on October 18, 1999. Ms. Townes was present and was not represented by counsel.

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Emma Townes previously held License No. 0002-010500 to practice practical nursing, which was issued by the Board.
2. The Board concludes that Ms. Townes has met the requirements of § 54.1-3009 of the Code and that she is competent to return to the practice of nursing with reasonable skill and safety to her patients, subject to certain restrictions, as more fully set forth below.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS that the license of Emma Townes to practice practical nursing in the Commonwealth of Virginia, License No. 0002-010500, be and hereby is, REINSTATED, and further ORDERS that

Townes be placed on PROBATION, subject to the following terms and conditions:

1. The period of probation shall begin on the date that this Order is entered and shall end upon completion of one (1) year of employment as a licensed practical nurse. The license of Emma Townes shall be reinstated without restriction at the completion of the probationary period without a hearing unless there is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a decision in accordance with the Administrative Process Act, § 2.2-4024, et. seq., of the Code.
2. Written reports are required by this Order and shall be sent to the Board office with the first report being received no later than sixty (60) days following the date that this Order is final. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends, to include:
 - a. Performance Evaluations shall be provided, as detailed below.
 - b. "Self-Reports" shall be provided, as detailed below.
3. Ms. Townes shall inform the Board in writing within ten (10) days of the date she begins nursing practice, or changes employment, or any interruption in nursing practice occurs, and Ms. Townes shall provide the name and address of the employer.
4. Mr. Townes shall inform any current and each future nursing employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order. If Ms. Townes is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.
5. Performance Evaluations shall be provided, at the direction of Ms. Townes, by all nursing

employers.

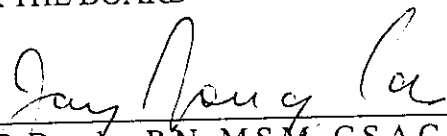
6. Ms. Townes shall enroll in and successfully complete a Board-approved refresher course and shall not practice until she has provided written evidence to the Board of satisfactory completion of the course and has received permission from the Board to do so.
7. Ms. Townes shall practice nursing only in a structured, supervised employment setting satisfactory to the Board for the first year. This employment setting shall provide on-site supervision by a physician, professional nurse, or licensed practical nurse who works the same shift and/or works on the same level of the building, and holds an unrestricted license. For all current nursing employment, and before beginning or changing nursing employment during this period, Ms. Townes shall have current and all prospective employers provide a written description of the employment setting to the Board office for approval.
8. Ms. Townes shall submit quarterly "Self-Reports" which include a current address, telephone number, and all current employment. This report shall also include any changes in employment status, as required in Term No. 3.
9. The Board shall issue Ms. Townes a license marked "PROBATION WITH TERMS".
10. Ms. Townes, as a licensed practical nurse, shall conduct herself in compliance with the requirements of Title 54.1, Chapter 30 of the Code, and the Board of Nursing Regulations.
11. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Townes, and a hearing shall be held to decide whether her license shall be revoked.

Pursuant to § 2.2-4023 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.

Emma Townes, R.N. Applicant

If Ms. Townes does not consent to the Committee's decision and desires a hearing before the Board or a panel thereof, she shall notify, in writing, Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director of the Board of Nursing, within thirty-three (33) days from the date of entry of this Order. This Order shall become final upon the expiration of the thirty-three day period unless a written request for a formal hearing is received within such time. Upon receiving timely request for a hearing, the Board or a panel thereof shall then proceed with a hearing provided in § 2.2-4020 and 2.2-4021 of the Code.

FOR THE BOARD



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

ENTERED: February 5th, 2004

Emma Townes, R.N. Applicant

Certificate of Service

I hereby certify that a certified true copy of the Order was mailed on this day to Emma Townes at 1128 Old Hundred Road, Midlothian, Virginia 23114.

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

February 5TH, 2004
DATE

Certified True Copy

By KB 2/5/04
Virginia Board of Nursing