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AUG 29 2013

VIRGINIA:

BEFORE THE BOARD OF NURSING

VA BD OF NURSING

IN RE: **KRYSTINA KIRK, L.P.N.**
License No.: 0002-074193

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Krystina Kirk, L.P.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Kirk's license to practice practical nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Krystina Kirk, L.P.N., was issued License No. 0002-074193 to practice practical nursing by the Virginia Board of Nursing on August 18, 2006. Said license is set to expire on April 30, 2014. Her primary state of residence is Virginia.
2. By Order entered September 7, 2012 ("Board's Order"), the Board ordered Ms. Kirk to have an evaluation by a mental health/chemical dependency specialist and to have a written report of the evaluation sent to the Board within 60 days, or by November 6, 2012. Thereafter, the Board was to consider the specialist's recommendations and make a final disposition of the matter. This Order was based on findings that Ms. Kirk was unable to safely practice practical nursing due to substance abuse.
3. Ms. Kirk was granted an extension until December 31, 2012, to complete the ordered evaluation.
4. Ms. Kirk failed to complete the ordered evaluation.

CONCLUSIONS OF LAW

Finding of Fact No. 4 constitutes a violation of Term No. 1 of the Board's Order.

CONSENT

Krystina Kirk, L.P.N., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice practical nursing in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. Krystina Kirk, L.P.N., is hereby REPRIMANDED.
2. License No. 0002-074193 of Krystina Kirk, L.P.N. is INDEFINITELY SUSPENDED.
3. The license will be recorded as suspended and no longer current.
4. This suspension applies to any multistate privilege to practice practical nursing.
5. At such time as Ms. Kirk shall have an evaluation by a mental health/chemical dependency specialist and have the written report of the evaluation, including a diagnosis, recommended course of

therapy, prognosis, and any recommendations, sent to the Board, the license shall be reinstated. Upon receipt of the required information, the Board may request that Ms. Kirk reappear before a special Conference Committee in order to consider the specialist's recommendations and make a final disposition of the matter.

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 upon request.

FOR THE BOARD

Jane Ingalls
Jane Ingalls, R.N., Ph.D.
President, Virginia Board of Nursing

ENTERED: Sept. 17, 2013

] SEEN AND AGREED TO:

Krystina Kirk
Krystina Kirk, L.P.N.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Newport News, TO WIT:

Subscribed and sworn to before me, Susan S. Bravo, a Notary Public, this 21st day of August, 2013.

My commission expires June 30, 2014.

Registration Number 7069752.

Susan S. Bravo
NOTARY PUBLIC



Certified True Copy

By [Signature]
Virginia Board of Nursing