

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:       **KEVIN TUNSTALL, L.P.N.**  
              **License No.: 0002-089543**

**CONSENT ORDER**

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

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

**FINDINGS OF FACT**

1. Kevin Tunstall, L.P.N., was issued License No. 0002-089543 to practice practical nursing by the Virginia Board of Nursing on August 14, 2013. Said license is set to expire on January 31, 2015. Mr. Tunstall's primary state of residence is Virginia.

2. During the course of his employment with Evergreen Health and Rehabilitation, Winchester, Virginia, on or about November 6, 2013, Mr. Tunstall gave an incorrect dose of liquid morphine to a patient. The pharmacy had dispensed the wrong concentration of the medication and Mr. Tunstall did not notice the error until after he administered a second dose of the medication to the resident.

**CONCLUSIONS OF LAW**

Finding of Fact No. 2 constitutes a violation of §54.1-3007(5) and (8) of the Code of Virginia, 1950, as amended ("Code").

**CONSENT**

Kevin Tunstall, L.P.N., by affixing his signature hereon, agrees to the following:

1. He has been advised to seek advice of counsel prior to signing this document;

2. He acknowledges that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;

3. He acknowledges that he 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 him;

4. He waives all such right to an informal conference;

5. He admits to the Findings of Fact and Conclusions of Law contained herein and waives his right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;

6. He consents to the entry of the following Order affecting his 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. Kevin Tunstall, L.P.N., is hereby REPRIMANDED.

2. Mr. Tunstall shall maintain a course of conduct in his 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 upon request.

FOR THE BOARD

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

ENTERED: October 7, 2014

SEEN AND AGREED TO:

Kevin Tunstall LPN  
Kevin Tunstall, L.P.N.

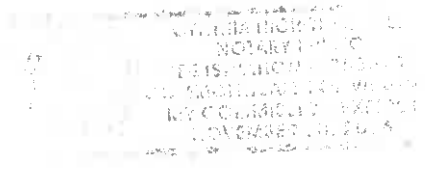
COMMONWEALTH OF VIRGINIA,  
COUNTY/CITY OF FREDERICK, TO WIT:

Subscribed and sworn to before me, Kevin Tunstall, a Notary Public, this 18 day of September, 2014.

My commission expires 11-30-16.

Registration Number 7536791.

Cynthia Nicole Keef  
NOTARY PUBLIC



Certified True Copy  
By L. Robinson-Hawes  
Virginia Board of Nursing