

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: AMY R. COLE, R.N. REINSTATEMENT APPLICANT

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on June 16, 2008, in Henrico County, Virginia, to receive and act upon Amy Cole’s application for reinstatement of her license to practice professional nursing in Virginia and to inquire into evidence that Ms. Cole may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Cole was present and was not represented by legal counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Amy R. Cole was issued License No. 0001-165540 to practice professional nursing in the Commonwealth of Virginia on July 12, 1999. Said license expired on September 30, 2003.
2. Ms. Cole submitted an application for reinstatement of her license to practice professional nursing which was received by the Board on March 18, 2008.
3. On November 16, 2006, in the Circuit Court of Danville, Virginia, Ms. Cole was convicted of grand larceny, a felony. She was sentenced to five years incarceration, suspended, placed on probation for two years and ordered to pay \$ 458 in court costs. Ms. Cole provided documentation of payment of the court costs on September 7, 2007. Her probation officer reported that she is in compliance with the terms of her probation and is scheduled to be released on October 28, 2008.

4. On December 13, 2006, in the General District Court of Danville, Virginia, Ms. Cole was convicted of giving a false report to the police, a misdemeanor. She was fined \$200 plus court costs.

5. On February 20, 2007, Ms. Cole entered a Participation Contract with the Health Practitioners' Intervention Program ("HPIP"). A representative from HPIP appeared at the informal conference and reported that Ms. Cole is in compliance with her Recovery Monitoring Contract entered August 14, 2007. All drug screens have been negative and she has been receiving counseling at the Danville-Pittsburg Community Services Board since August 2006.

CONCLUSIONS OF LAW

1. Findings of Fact No. 3 and 4 constitute a violation of § 54.1-3007(4) of the Code.
2. The Board concludes that Ms. Cole has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS that the license of Amy R. Cole is hereby REINSTATED with the following terms and conditions:

1. Comply with the terms and conditions of the HPIP.
2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Amy R. Cole and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Cole shall be noticed to appear before the Board at such time as the Board is notified that:
 - a. Ms. Cole is not in compliance with the terms and conditions of the HPIP, or has been terminated from participation in the HPIP;
 - b. There is a pending investigation or unresolved allegation against Ms. Cole involving a violation of law or regulation or any term or condition of this Order; or

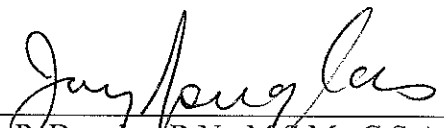
c. Ms. Cole has successfully completed the above-referenced period of participation in the HPIP. However, upon receipt of Ms. Cole's participation in and compliance with the HPIP, the Board, at its discretion, may waive Ms. Cole's appearance before the Board and conduct an administrative review of this matter.

3. This order shall be applicable to Ms. Cole's multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Cole shall not work outside 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 Ms. Cole wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

4. Ms. Cole 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 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 COMMITTEE



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

ENTERED:

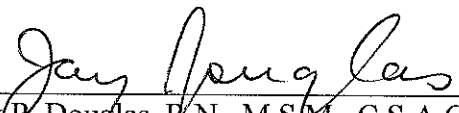
August 21ST, 2008

NOTICE OF RIGHT TO FORMAL HEARING

If you do not consent to the Committee's decision and desire a hearing before the Board or a panel thereof, you shall notify, in writing, the Executive Director of the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, within 33 days of the date of entry of this Order. This Order shall become final upon expiration of the 33-day period unless a request for a formal hearing is received within such time. Upon receiving a timely request for a hearing, this Order shall be vacated and the Board or a panel thereof shall proceed with a hearing as provided in § 2.2-4020 *et seq.* of the Code.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Order was mailed, by certified and regular mail, this day to Amy R. Cole at 730 Mountain Hill Road, Danville, Virginia 24586.



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

Date August 21ST, 2008