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VA BD OF NURSING

VIRGINIA:

**BEFORE THE BOARD OF NURSING**

**IN RE: CRYSTAL LYNN BREWER, L.P.N. REINSTATEMENT APPLICANT**  
**License No.: 0002-056460**

**CONSENT ORDER**

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

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

**FINDINGS OF FACT**

1. Crystal Lynn Brewer, L.P.N., was issued License No. 0002-056460 to practice practical nursing by the Virginia Board of Nursing on June 23, 1998. Said license expired on September 30, 2002. Ms. Brewer was issued License No. PN5152570 to practice practical nursing by the Florida Board of Nursing on March 4, 2002. Said license expired on July 31, 2009.

2. Ms. Brewer submitted an application for reinstatement of her license to practice practical nursing which was received by the Board on March 19, 2013. Ms. Brewer declared Virginia as her primary state of residence.

3. On November 3, 2008, the Florida Board of Nursing issued Ms. Brewer a reprimand, suspended her license to practice practical nursing until such time as she could undergo an evaluation coordinated by the Intervention Project for Nurses, and ordered her to pay an administrative fine of \$250.00 and investigative costs of approximately \$1,454.71. This action was based on Ms. Brewer testing positive for marijuana while on duty.

4. Ms. Brewer admits that she had been abusing marijuana for two months prior to her positive drug screen. Ms. Brewer stated that she has been completely sober since December 2010 but never had the substance abuse evaluation or any treatment in order to comply with the Florida order due to financial reasons.

5. On June 1, 2011, Ms. Brewer was convicted of embezzlement in the Russell County, Virginia, General District Court.

6. Ms. Brewer provided evidence that she has paid all costs associated with her conviction on September 1, 2011.

7. Ms. Brewer provided evidence of completion of 34 hours of continuing education.

#### **CONCLUSIONS OF LAW**

1. Finding of Fact No. 3 constitutes violation of § 54.1-3007(7) of the Code of Virginia (1950), as amended (“Code”).

2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code.

3. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(4) of the Code.

4. Ms. Brewer is a candidate for the Health Practitioners’ Monitoring Program (“HPMP”).

5. Ms. Brewer otherwise meets the requirements for reinstatement of her license to practice practical nursing.

#### **CONSENT**

Crystal Lynn Brewer, 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 application for reinstatement of her license 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. The application of Crystal Lynn Brewer for reinstatement of her license to practice practical nursing is APPROVED contingent upon her entry into the HPMP. Thereafter she shall remain in compliance with the HPMP for the period specified of the HPMP.

2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Brewer, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms, Brewer shall be noticed to appear before the Board at such time as the Board is notified that:

a. Ms. Brewer is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;

b. There is a pending investigation or unresolved allegation against Ms. Brewer involving a violation of law or regulation or any term or condition of this Order; or


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

3. This Order is applicable to Ms. Brewer's multistate licensure privileges, if any, to practice practical nursing. For the duration of this Order, Ms. Brewer 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 Ms. Brewer wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

4. Ms. Brewer shall maintain a course of conduct in her 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

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

ENTERED: July 23<sup>rd</sup>, 2013

SEEN AND AGREED TO:

Crystal Lynn Brewer LPN  
Crystal Lynn Brewer, L.P.N.

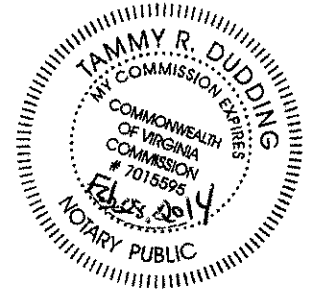
COMMONWEALTH OF VIRGINIA,  
COUNTY/CITY OF CRAIG, TO WIT:

Subscribed and sworn to before me, Tammy R. Dudding, a Notary Public, this 16 day of July, 2013.

My commission expires Feb 28, 2014

Registration Number 7015595

Tammy R. Dudding  
NOTARY PUBLIC



Certified True Copy

By S. Patton  
Virginia Board Of Nursing