

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: **BARBARA A. WHALEN, R.N.**
License No.: 0001-211417

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Barbara A. Whalen, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Whalen's license to practice professional nursing in Virginia.

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

FINDINGS OF FACT

1. Barbara A. Whalen, R.N., was issued License No. 0001-211417 to practice professional nursing by the Virginia Board of Nursing on February 20, 2008. Said license is set to expire on July 31, 2014. Her primary state of residence is Virginia.
2. During the course of her employment as a professional nurse at VCU Medical Center, Richmond, Virginia, between March 30, and September 20, 2012, Ms. Whalen committed multiple errors when she repeatedly failed to properly document the administration of narcotic medications and patient-controlled analgesia in medical records. Further, on multiple occasions, she failed to waste narcotic medication immediately, instead allowing several hours to pass between the time she administered the medication and the time she wasted the excess medication. On at least one occasion, Ms. Whalen kept narcotic medication overnight before disposing of it.
3. Ms. Whalen received a disciplinary action form and performance improvement plan and remains employed at VCU Medical Center.

CONCLUSIONS OF LAW

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

CONSENT

Barbara A. Whalen, R.N., by affixing her signature hereon, agrees to the following:

1. She has sought 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 professional 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:

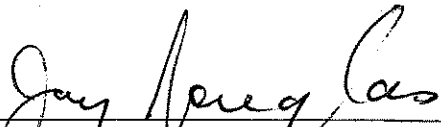
1. Barbara A. Whalen, R.N., shall provide the Board with verification that she has completed the National Council of State Boards of Nursing ("NCSBN") courses "Documentation: A Critical Aspect of Client Care" and "Medication Errors: Detection & Prevention" within 60 days of the entry of this Order.

2. Barbara A. Whalen, R.N., 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.

3. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of professional nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Barbara A. Whalen, R.N., and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

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


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

ENTERED: April 22nd, 2013

SEEN AND AGREED TO:

Barbara A. Whalen R.N.

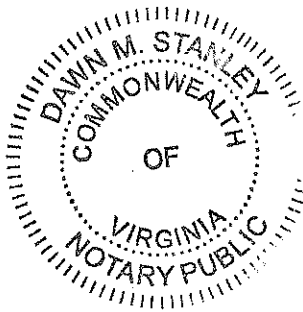
Barbara A. Whalen, R.N.,

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

Subscribed and sworn to before me, Dawn M Stanley, a Notary Public, this 20th day of February, 2013.

My commission expires March 31, 2013

Registration Number 136009



Dawn M Stanley
NOTARY PUBLIC
DAWN M Stanley