

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: Jennifer A. Bryant, R.N.
License No.: 0001-175195**

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on June 15, 2006, in Henrico County, Virginia. Ms. Bryant was present and was not represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On September 19, 2006, the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Bryant was not present nor was she represented by legal counsel. Ms. Bryant submitted written comments.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Jennifer A. Bryant, R.N., was issued license no. 0001-175195 to practice professional nursing in the Commonwealth on August 1, 2001. The license expires on April 30, 2008.
2. By letter dated May 24, 2006, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Jennifer A. Bryant, R.N., notifying her that an informal conference would be held on June 15, 2006. The Notice was sent by certified and first class mail to 301 Chivalry Way, #102, Fredericksburg, Virginia 22406, the address of record on file with the Board of

Nursing.

3. On or about August 25, 2005, Ms. Bryant submitted to a pre-employment urine drug screen for employment with Beverly Enterprises, Inc., Fort Smith, Arizona, which was positive for Methadone (Dolophine), a Schedule II controlled substance. As a result, her offer for employment was rescinded. Ms. Bryant stated to the Agency Subordinate that this allegation is true but denied that she ever took Methadone.

4. By her own admission, Ms. Bryant has a history of depression, bipolar disorder, and chronic back pain, for which she takes multiple prescription medications.

5. Ms. Bryant violated the pain management agreement she entered with Raymond Greaser, M.D., Advanced Pain Solutions, P.C., where she has been receiving treatment since January 2004. The agreement which she signed stated that Dr. Greaser would be the only individual who could prescribe medications for her and the agreement was violated when medications were ordered through the Internet. When the violation occurred, Dr. Greaser ceased prescribing medications for Ms. Bryant.

6. By her own admission, Ms. Bryant sought additional tablets of hydrocodone via the Internet. She reported ingesting as many as 30 tablets of hydrocodone daily, and that due to attempts to stop taking the hydrocodone, on or about September 25, 2005, she self-admitted to Mary Washington Hospital Emergency Room where she stayed between 24 to 48 hours. She stated that she initiated the need for in-patient treatment and subsequently admitted herself to Snowden of Fredericksburg, Virginia, for treatment. According to Lisa Parrish, LCSW, Ms. Bryant was discharged from Snowden of Fredericksburg after being detoxed from opiates.

7. Ms. Bryant stated that she had gastric by-pass surgery two and one-half years ago and that the absorption of her medications had greatly been altered, thus exacerbating her depression and bipolar disorder, which intensified her drug use.

8. Ms. Bryant stated that her primary care physician is the only physician who currently prescribes medications for her. She stated that he does quarterly random drug screens and tests for medications for which he does not give her prescriptions. Dr. Patrick Neustatter, Ms. Bryant's primary care physician, wrote to the Board of Nursing that in his opinion Ms. Bryant is fit to return to the work with careful monitoring. He further stated that Ms. Bryant appears mentally stable and functioning well on her current dosage of Duragesic for her back problems.

9. Ms. Bryant submitted a letter of support from Culpeper Health and Rehabilitation Center outlining Ms. Bryant's employment history which included a recent promotion to MDS Coordinator.

CONCLUSIONS OF LAW

The Board concludes that Findings of Fact Nos. 4 through 6 constitute a violation of § 54.1-3007(6) the Code.

ORDER

WHEREFORE, it is hereby ORDERED that Jennifer A. Bryant, R.N., be, and hereby is, placed on PROBATION subject to the following terms and conditions:

1. The period of probation shall begin on the date that this Order is final and shall end upon completion of two years of employment as a professional nurse. The license of Ms. Bryant shall be reinstated without restriction at the completion of the probationary period without a hearing

unless there is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 2.2-4000(A), et seq., of the Code.

2. Written reports are required by this Order and shall be sent to the Board office with the first report being received no later than 60 days following the date that this Order is final. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends, to include:

a. Performance Evaluations shall be provided, as detailed below in Term No.

5.

b. An evaluation by a mental health and chemical dependency specialist shall be provided, as detailed below in Term No. 6.

c. Participation in therapy shall be provided, as detailed below, in Term Nos. 6 and 7.

d. Prescriptions from prescribing health care provider(s) shall be provided, as detailed below in Term No. 8.

e. Results of drug screens shall be provided, as detailed below, in Term No. 9.

f. “Self-Reports” shall be provided, as detailed below, in Term No. 11.

3. Ms. Bryant shall inform the Board in writing within ten (10) days of the date she begins nursing practice, or changes employment, or any interruption in nursing occurs, and she shall provide the name and address of the employer. Ms. Bryant’s current place of employment is approved.

4. Ms. Bryant shall inform her current nursing employer and each future nursing employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order. If Ms. Bryant is employed through a staffing agency she shall inform her supervisor in each facility where assigned that she is on probation.

5. Performance Evaluations shall be provided, at the direction of Ms. Bryant, by all nursing employer(s).

6. Ms. Bryant shall have an evaluation by a mental health and chemical dependency specialist which is approved by the Board and shall have a written report of the evaluation, including a diagnosis, recommended course of therapy, prognosis, and any recommendations sent to the Board within 45 days after the date that this Order is final as stated in Term No. 2b. Ms. Bryant shall comply with the recommendations of the specialist, if there are any. If therapy is recommended, written quarterly progress reports by the therapist shall be sent to the Board as stated in Term No. 2c until discharge. Ms. Bryant shall direct the therapist to notify the Board if she withdraws from the treatment program before being discharged.

7. Ms. Bryant shall continue in treatment until discharged and will direct the therapist to provide the Board with written progress reports as stated in Term No. 2c. The therapist shall provide a written discharge summary when appropriate. Ms. Bryant shall direct the therapist to notify the Board if she withdraws from the treatment program before being discharged.

8. Ms. Bryant shall not use alcohol or any other mood altering chemical except as prescribed by a physician with whom she has established a genuine physician/patient relationship and for accepted medicinal or therapeutic purposes. Should she be prescribed any Schedule II-V controlled medication, a written report from the prescribing physician shall be provided to the

Board within ten days of the date of the prescription is written.

9. Ms. Bryant shall be required to have at least one supervised, unannounced drug screen a month, which includes testing for alcohol and hydrocodone, and shall have all results sent to the Board as stated in Term No. 2e. The Board shall be notified immediately in writing of any positive results or if Ms. Bryant refuses to give a specimen for analysis as required by this Order. All positive results must be confirmed by a confirmatory drug test, with results to be sent to the Board immediately.

10. Ms. Bryant shall provide all current and future treating practitioners with a complete copy of this Order, and shall execute an Authorization for Disclosure of Information form providing for unrestricted communication between the Board, and any consultants designated by the Board.

11. Ms. Bryant shall submit quarterly "Self-Reports" which include a current address, telephone number, and all current employment. This report shall also include any changes in employment status, as required in Term No. 3.

12. Ms. Bryant shall return all copies of her license to practice as a professional nurse within ten days of the date of entry of this Order. Upon receipt of the old license and a \$5.00 fee, the Board shall issue Ms. Bryant a new license marked "Valid in Virginia Only; Probation with Terms."

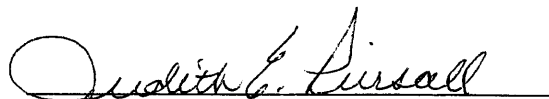
13. Ms. Bryant shall conduct herself as a professional nurse in compliance with the requirements of Title 54.1, Chapter 30 of the Code, and the Board of Nursing Regulations.

14. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Bryant, and a hearing shall be held to decide whether her license shall be revoked.

This Order is subject to appeal to the Board. If Ms. Bryant desires a formal administrative hearing before the Board pursuant to §§ 2.2-4020 and 2.2-4021 of the Code, she must notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 West Broad Street, Richmond, Virginia 23230, in writing, within thirty-three (33) days from the date of service of this Order. Upon the filing of a request for the hearing with the Executive Director, this Order shall be vacated.

Pursuant to § 54.1-2400.2(F) of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

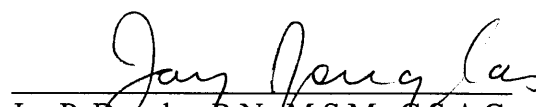
FOR THE BOARD


Judith Piersall, R.N.
President
Virginia Board of Nursing

Entered: September 19th, 2006

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed this day to Jennifer A. Bryant, R.N., at 301 Chivalry Way, #102, Fredericksburg, Virginia 22406.


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

September 22nd, 2006
DATE