

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: JULIA K. CASH, R.N.
 License No.: 0001-143044**

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 March 13, 2013, in Henrico County, Virginia. Julia K. Cash, R.N., was not present nor was she represented by legal counsel. Janet Younger, Ph.D., R.N., P.N.P., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On May 22, 2013, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Cash was not present nor was she represented by legal counsel.

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. Julia K. Cash, R.N., was issued License No. 0001-143044 to practice professional nursing by the Virginia Board of Nursing on June 7, 1995. She was also issued License No. 0002-036151 to practice practical nursing on May 31, 1985, which expired on December 31, 1996. On August 25, 1998, the Board issued an Order continuing generally the matter before the Board contingent upon Ms. Cash's participation and compliance with the Virginia Health Practitioner's Intervention Program ("HPIP"; now referred to as the Health Practitioner's Monitoring Program "HPMP"). On February 14, 2002, the Board issued an Order of Reprimand to Ms. Cash and required she continue compliance with the HPIP following positive urine drug screens and nursing performance

issues involving medication. On April 4, 2003, the Board issued an Order which revoked the professional nursing license of Ms. Cash due to her HPIP dismissal. On November 30, 2005, the Board issued an Order to reinstate her professional nursing license without terms or restrictions. Said license expired on December 31, 2010. Ms. Cash's primary state of residence is Virginia.

2. By letter dated February 21, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Cash notifying her that an informal conference would be held on March 13, 2013. The Notice was sent by certified and first class mail to 1513 West Beverley Street, Staunton, Virginia 24401, the address of record on file with the Board of Nursing. The certified mail receipt was returned to the Board's office unsigned. The first class mail was returned to the Board's office marked "Return to Sender; Attempted - Not Known; Unable to Forward." The Agency Subordinate concluded that adequate notice was provided to Ms. Cash and the informal conference proceeded in her absence.

3. A Board Order entered December 18, 2008 ("Board's Order"), placed Ms. Cash on indefinite probation for a period of not less than two years of actual nursing practice and subject to terms and conditions. Ms. Cash has not been able to find employment as a nurse and therefore has been unable to comply with terms (1)(b) through 1(e) of the Board's Order.

4. Term 1(f) of the Board's Order required that Ms. Cash continue in therapy with Valley Community Services Board, or other approved therapist, and that Ms. Cash request that written quarterly progress reports by the therapist be sent to the Board. Ms. Cash did not provide timely quarterly therapy reports between 2008 and June 29, 2010, and since then has not provided any therapy reports to the Board.

5. Term 1(g) of the Board's Order required that Ms. Cash not use alcohol or any other mood altering chemical, except as prescribed by a health care practitioner with whom she has a bona fide practitioner/patient relationship, and that if Ms. Cash were prescribed any schedule II-V controlled

medications, a written report from the prescribing practitioner would be provided to the Board within ten days of the date the medication was prescribed. The Prescription Monitoring Program profile report of July 20, 2012, revealed that between December 18, 2008, and July 20, 2012, Ms. Cash had filled 22 prescriptions for narcotics. Prescription reports regarding these medications were not sent to the Board.

6. Term 1(h) of the Board's Order required Ms. Cash to attend AA/NA or other recovery group at least two times per week and submit recovery group attendance logs within 30 days of each meeting to the Board. Ms. Cash did not submit recovery group attendance in a timely manner or did not submit them at all. Ms. Cash did not submit attendance logs after January 7, 2011.

7. Term 1(i) of the Board's Order required Ms. Cash to execute an Authorization for Disclosure of Information form providing for unrestricted communication between the Board and any court-appointed probation or parole officers and any consultants designated by the Board. Ms. Cash has not submitted a current Authorization for Disclosure of Information form.

8. Term 1(j) of the Board's Order required Ms. Cash to submit quarterly "Self-Reports." Ms. Cash did not submit Self Reports in a timely manner or at all. Ms. Cash's last communication with the Compliance Case Manager was July 2012.

9. Term 1(l) of the Board's Order required Ms. Cash to return both parts of her license and pay a duplicate license fee of \$5.00. Ms. Cash did not pay the duplicate license fee and has not returned both parts of her license.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of Term 1(f) of the Board's Order.
2. Finding of Fact No. 5 constitutes a violation of Term 1(g) of the Board's Order.
3. Finding of Fact No. 6 constitutes a violation of Term 1(h) of the Board's Order.
4. Finding of Fact No. 7 constitutes a violation of Term 1(i) of the Board's Order.

5. Finding of Fact No. 8 constitutes a violation of Term 1(j) of the Board's Order.
6. Finding of Fact No. 9 constitutes a violation of Term 1(l) of the Board's Order.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Julia K. Cash, R.N., is hereby REPRIMANDED.
2. The right of Ms. Cash to renew License No. 0001-143044 of is INDEFINITELY SUSPENDED.
3. The license will be recorded as suspended.
4. At such time as Ms. Cash shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Cash shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.
5. This suspension applies to any multistate privilege to practice professional nursing.

Pursuant to §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 a public record, and shall be made available for public inspection and copying upon request.

Since Ms. Cash failed to appear at the informal conference, this Order shall be considered final. Ms. Cash has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Cash has 30 days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond,

Virginia 23233. In the event that this decision is served by mail, three days are added to that period.

FOR THE BOARD

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

Entered: June 7, 2013

Certified True Copy

By *Steph E. L.*
Virginia Board of Nursing