

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: BRONWEN K. MARSHALL, R.N. REINSTATEMENT APPLICANT
License No.: 0001-140420

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 August 5, 2015, in Henrico County, Virginia, to receive and act upon the application of Bronwen K. Marshall for reinstatement of her license to practice professional nursing in Virginia and to inquire into evidence that Ms. Marshall may have violated certain laws governing professional nursing practice. Ms. Marshall was not 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. Bronwen K. Marshall was issued License No. 0001-140420 to practice professional nursing in the Commonwealth of Virginia on September 19, 1994. Said license was suspended by Order of the Board entered on December 30, 2010. Said action was based on findings that Ms. Marshall had a long, complex history of drug addiction, including heroin use as recently as February 2010. Her primary state of residence is Virginia.

2. By letter dated July 7, 2015, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Marshall notifying her that an informal conference would be held on August 5, 2015. The Notice was sent by certified and first class mail to 2504 Brook Road, Richmond, Virginia 23220, the address of record on file with the Board of Nursing. As of August 5, 2015, neither the certified nor first class mail had been returned to the Board office. The Notice was also sent to the address of record by overnight mail, which

was delivered on August 3, 2015. The Committee Chair concluded that adequate notice was provided to Ms. Marshall and the informal conference proceeded in her absence.

3. Ms. Marshall submitted an application for reinstatement of her license to practice professional nursing which was received by the Board on December 30, 2014.

4. From February 11, 2011 through May 26, 2015, Ms. Marshall was hospitalized approximately ten times for opioid dependence and major depressive disorder.

5. Ms. Marshall relapsed and used heroin on March 7 and May 15, 16, 22, 23 and 24, 2015.

6. On February 4, 2015, Ms. Marshall entered a Participation Contract with the Health Practitioners' Monitoring Program, wherein she acknowledged suffering from alcoholism and/or chemical dependency that impairs her ability to practice, as evidenced by heroin abuse. In a letter dated July 29, 2015, the HPMP reported that Ms. Marshall entered a substance abuse treatment program on July 6, 2015, and left the facility on July 10, 2015. Further, Ms. Marshall admitted to continued use of alcohol and heroin. Due to her failure to enter treatment and continued use of substances, the HPMP will be requesting Ms. Marshall's dismissal at the program committee meeting in September 2015.

7. On December 13, 2013 and September 8, 2014, in the Circuit Court of Chesterfield County, Virginia, Ms. Marshall was convicted of felony possession of a Schedule I/II controlled substance. She was sentenced to three years incarceration, suspended, placed on supervised probation and ordered to pay court costs.

8. On March 25, 2014, in the General District Court of Chesterfield County, Virginia, Ms. Marshall was convicted of petit larceny. She was sentenced to 12 months in jail, with 11 months suspended, and ordered to pay court costs.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 4, 5 and 6 constitute a violation of § 54.1-3007(6) of the Code.

2. Finding of Fact No. 7 constitutes a violation of § 54.1-3007(4) and (6) of the Code.
3. Finding of Fact No. 8 constitutes a violation of § 54.1-3007(4) of the Code.
4. The Committee concludes that Ms. Marshall has not 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 application of Bronwen K. Marshall for reinstatement of her license to practice professional nursing in Virginia is DENIED.

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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Marshall may, not later than 5:00 p.m., on **September 30, 2015**, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

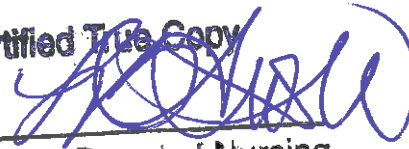
FOR THE COMMITTEE:



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

ENTERED: August 28TH, 2015

This Order shall become final on **September 30, 2015**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By _____
Virginia Board of Nursing