

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: KARIN FINK HOWLAND, R.N. REINSTATEMENT APPLICANT
LicenseNumber: 0001-102225
Case Number: 174654

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on September 20, 2017, in Henrico County, Virginia, to receive and act upon Karin Fink Howland’s application for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia.

Karin Fink Howland, R.N., appeared at this proceeding and was represented by Eileen Talamante, Esquire.

NOTICE

By letter dated August 25, 2017, the Board sent a Notice of Formal Hearing (“Notice”) to Ms. Howland notifying her that a formal administrative hearing would be held on September 20, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT

1. On August 15, 1986, the Board issued License Number 0001-102225 to Karin Fink Howland, R.N. to practice professional nursing in the Commonwealth of Virginia. Said license was mandatorily suspended by the Department of Health Professions on April 29, 2015. Her primary state of residence is Washington, D.C..

2. Ms. Howland submitted an application for reinstatement of her license to practice professional nursing, which was received by the Board on June 30, 2016.

3. On August 20, 2004, Ms. Howland received a stay of disciplinary action related to allegations that in 2003 and 2004, she had obtained Percocet (C-II) by presenting a forged prescription, she was convicted of prescription fraud in 2005 (following a 2004 guilty plea), and she entered HPMP in April 2004 due to her substance abuse disorder. The stay was vacated on December 16, 2005, due to her relapse and use of Percocet, Ativan (C-IV), Ecstasy and alcohol. She resigned from HPMP in 2008 after opening her own business outside the health-care industry. However, the Board did not learn of the revocation of the stay or the HPMP dismissal until 2012.

4. From October 2011 through March 2012, Ms. Howland worked as an independent contractor for several home health agencies. Those agencies reported to the investigator for the Department of Health Professions that Ms. Howland worked without any complaints about her practice. On March 17, 2012, she became an employee of Caregivers Home Health Services, Falls Church, Virginia, which was aware of her substance abuse history, was supportive of her recovery and described her as a model employee.

5. On February 15, 2013, the Virginia Board of Nursing issued an Order reprimanding Ms. Howland for the 2003-2004 incidents.

6. On December 5, 2014, the D.C. Board of Nursing ordered Ms. Howland to submit to an evaluation by the Committee on Impaired Nurses and to pay a \$500.00 fine. Consequently, Ms. Howland's executed an "Affidavit and Letter of Voluntary Surrender of License" dated March 23, 2015.

7. On April 20, 2015, Ms. Howland's license to practice in the District of Columbia was suspended until such time as she was evaluated by the Committee on Impaired Nurses and pays a fine

in the amount of \$500.00. Based on the D.C. action, the Virginia Board mandatorily suspended her license on April 29, 2015.

8. On April 6, 2016, the Maryland Board of Nursing offered Ms. Howland a Letter of Surrender of License to Practice as a Registered Nurse for one year, due to the actions by the Virginia and D.C. Boards of Nursing, but she did not sign that document. The Maryland Board indicated it would consider her case for possible charges and disciplinary action if she did not sign. On October 13, 2016, Ms. Howland's license to practice in Maryland was summarily suspended, and on October 27, 2016, she was continued on summary suspension.

9. Ms. Howland identified herself as a "recovering drug addict" and has been clean and sober since October 2005. She stated to the DHP investigator that she has diagnoses of depression, anxiety, bipolar disorder, and adult ADHD, for which she receives ongoing medical management. Ms. Howland presented evidence from her treating physician that he believes she can work without restriction.

10. Ms. Howland's licenses in Maryland and the District of Columbia were both reinstated in 2017. She is currently enrolled in the D.C. Board of Nursing's Committee on Impaired Nurses ("COIN"). Ms. Howland provided the Board with evidence that she has obtained nursing employment in D.C. with the assistance of COIN, with said employment to begin on September 25, 2017.

CONCLUSIONS OF LAW

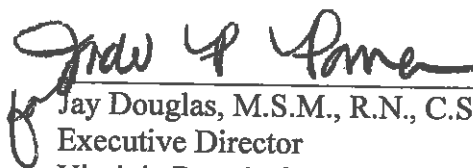
1. Findings of Fact No. 7 and 8 constitute a violation of Virginia Code § 54.1-3007(7).
2. Ms. Howland has demonstrated that she is prepared to resume the safe and competent practice of professional nursing.

ORDER

WHEREFORE, the Virginia Board of Nursing, by affirmative vote of at least three-fourths of the members of the Board at the proceeding, effective upon entry of this Order, ORDERS that the license issued to Karin Fink Howland, R.N., to practice professional nursing in the Commonwealth of Virginia is REINSTATED without restriction.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, 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



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

ENTERED AND MAILED ON:

October 6, 2017

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with NAME, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy

By draham
Virginia Board Of Nursing