

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: AMY ELIZABETH KUBLER, R.N.
License Number: 0001-205222
Case Number: 198214

RATIFICATION AND ORDER

On March 22, 2022, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Amy Elizabeth Kubler, R.N. ("Respondent"), was not present nor was she represented by legal counsel.

In consideration whereof, the Board of Nursing ACCEPTS the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and ADOPTS the Recommended Order in its entirety.

Pursuant to Virginia Code § 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.

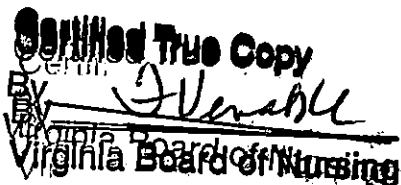
Pursuant to Virginia Code § 54.1-2400(10), Respondent may, not later than 5:00 p.m., on May 3, 2022, request a formal administrative hearing before the Board by notifying Jay P. Douglas, R.N., M.S., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD

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

ENTERED AND MAILED ON:

March 31, 2022



This Order shall become final on May 3, 2022, unless a request for a formal administrative hearing is received as described above.

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REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Patricia Selig, R.N., F.N.P., Ph.D., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on February 10, 2022 in Henrico County, Virginia, to inquire into evidence that Amy Elizabeth Kubler, R.N. (“Respondent”), may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Respondent appeared at this proceeding and was represented by Margaret Hardy, Esquire.

Upon consideration of the evidence, the Agency Subordinate makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

Notice

By letter dated January 13, 2022, the Board sent a Notice of Informal Conference (“Notice”) to Respondent indicating that an informal conference would be held on February 7, 2022. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

Recommended Findings of Fact and Conclusions of Law

1. Amy Elizabeth Kubler, R.N. (“Respondent”), was issued License Number 0001-205222 to practice professional nursing on January 24, 2007, which is scheduled to expire on December 31, 2022. At all times relevant to the findings herein, said license was in full force and effect. Respondent’s primary state of residence is Virginia.

2. Respondent violated Virginia Code § 54.1-3007(2), (5), and (8), and 18 VAC 90-19-230(A)(2)(l) and (p) of the Regulations Governing the Practice of Nursing (currently found at 18 VAC 90-19-230(2)(j) and (o) of the Regulations, effective February 2, 2022) in that, during the course of her employment with Sentara RMH Medical Center, in July 2019, by her own admission, she engaged in an inappropriate personal relationship, which included a sexual relationship and the exchange of sexually explicit text messages, with Patient A. Patient A's wife, Patient B, was also a patient of Ms. Kubler during this time period; Ms. Kubler had socialized with both Patient A and Patient B.

3. Respondent's employment with Sentara RMH Medical Center was terminated as a result of this incident. At the informal conference, Respondent acknowledged the inappropriate personal relationship with Patient A and properly articulated the rationale supporting the legal prohibition against such relationships between practitioners and patients. She expressed deep regret and remorse for her actions and stated that she would not engage in a personal relationship with a patient in the future.

Recommended Order

Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Board issue an Order as follows:

1. Amy Elizabeth Kubler, R.N., is REPRIMANDED.
2. Ms. Kubler shall comply with all laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Reviewed and approved
By Patricia Selig, R.N., F.N.P., Ph.D.
Agency Subordinate

Certified True Copy
By *J. Venable*
Virginia Board of Nursing