

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE: BEVERLY SUE JACKS, R.N.**  
**License Number: 0001-204498**  
**Case Number: 176144**

---

**CONSENT ORDER**

---

**JURISDICTION AND PROCEDURAL HISTORY**

The Virginia Board of Nursing ("Board") and Beverly Sue Jacks, R.N., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Ms. Jacks's license to practice professional nursing in the Commonwealth of Virginia.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. Beverly Sue Jacks, R.N., was issued License Number 0001-204498 to practice professional nursing on November 6, 2006, which is scheduled to expire on April 30, 2018. Her primary state of residence is Virginia.
2. Ms. Jacks violated Virginia Code § 54.1-3007(2), (5), and (8) and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing (currently found at 18 VAC 90-19-230(A)(2)(f) effective February 24, 2017) in that during the course of her employment with Continuum Pediatric Nursing, Accomack, Virginia, while assigned to provide in-home care to a patient diagnosed with Rett Syndrome who was ventilator and tracheostomy dependent, on multiple occasions in August 2016, Ms. Jacks treated the patient roughly and failed to observe infection control protocols. Specifically, Ms. Jacks was observed on video surveillance handling the patient roughly, roughly pulling a comb through her hair, striking the patient on the legs and buttocks, roughly inserting a washcloth into the patient's rectum, firmly restraining the patient by the arm, lifting the patient by her hair, and allowing the patient to fall back onto the bed or to roll freely. In addition, she failed to use gloves while treating

the patient or to sanitize her hands, left dirty containers in the patient's room, and placed the patient's nebulizer cup into her own mouth and failed to sterilize the cup thereafter.

3. Ms. Jacks' employment with Continuum was terminated as a result of her abuse of the patient.

4. Ms. Jacks was charged with four misdemeanor counts of abuse/neglect an incapacitated adult. On February 13, 2017, in the General District Court of Accomack County, Virginia, she was convicted of three of the four counts. She was sentenced to 100 days' incarceration, with 90 days suspended, and ordered to pay court costs.

5. In an interview with an investigator for the Department of Health Professions on September 30, 2016, Ms. Jacks stated that she had decided to retire from nursing.

#### CONSENT

Beverly Sue Jacks, R.N., by affixing her signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;
4. I waive my right to an informal conference;
5. I admit to the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my licensure to practice professional nursing in the Commonwealth of Virginia.

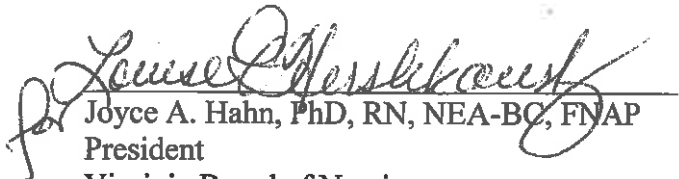
**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. The Board accepts the VOLUNTARY SURRENDER for INDEFINITE SUSPENSION of Beverly Sue Jacks' license to practice professional nursing in the Commonwealth of Virginia.
2. The license of Ms. Jacks will be recorded as SUSPENDED.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. Should Ms. Jacks seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Jacks to demonstrate that she is safe and competent to return to the practice of nursing. Ms. Jacks shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.

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

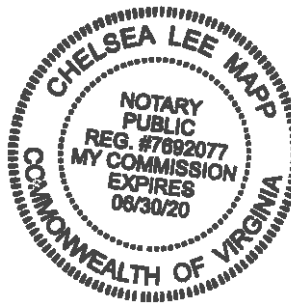
  
Joyce A. Hahn, PhD, RN, NEA-BC, FNAP  
President  
Virginia Board of Nursing

ENTERED: 4/14/17

**Certified True Copy**  
By   
Virginia Board of Nursing

SEEN AND AGREED TO:

Beverly Sue Jacks RN  
Beverly Sue Jacks, R.N.



COMMONWEALTH OF VIRGINIA  
COUNTY/CITY OF Accomack, TO WIT:

Subscribed and sworn to before me, a notary public in and for the Commonwealth of Virginia at large,  
on this 8<sup>th</sup> day of November, 2017.

Chelsea Lee Mapp  
Notary Public

My commission expires:

06/30/2020

Registration No.:

7692077

Certified True Copy

By [Signature]  
Virginia Board of Nursing