

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:           TAKIA CARTER TINSLEY, L.P.N.**  
**License Number:   0002-068271**  
**Case Number:       175121**

**RATIFICATION AND ORDER**

On September 20, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Takia Carter Tinsley, L.P.N., 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 § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Tinsley's health records or health services.

Since Ms. Tinsley failed to appear at the informal conference, this Order shall be considered final. Ms. Tinsley 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. Tinsley has thirty 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, 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

Jay Douglas  
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 13, 2017

Certified True Copy

By draham  
Virginia Board Of Nursing

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**REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE**

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**Jurisdiction and Procedural History**

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Allison Gregory, M.S., R.N., F.N.P.-B.C., serving as Agency Subordinate of the Virginia Board of Nursing ("Board"), held an informal conference on August 3, 2017 in Henrico County, Virginia, to inquire into evidence that Takia Carter Tinsley, L.P.N., may have violated certain laws and regulations governing the practice of nursing in the Commonwealth of Virginia.

Ms. Tinsley did not appear at this proceeding and was not represented by legal counsel.

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 July 12, 2017, the Board sent a Notice of Informal Conference ("Notice") to Ms. Tinsley notifying her that an informal conference would be held on August 3, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. The certified mail receipt was signed and returned to the Board office. The Notice sent by first class mail was not returned to the Board office. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Ms. Tinsley and the informal conference proceeded in her absence.

### Recommended Findings of Fact and Conclusions of Law

1. Takia Carter Tinsley, L.P.N., was issued License Number 0002-068271 to practice practical nursing on March 19, 2004, which is scheduled to expire on July 31, 2018. At all times relevant to the findings herein, said license was in full force and effect. Her primary state of residence is Virginia.
2. Takia Carter Tinsley, L.P.N., violated Virginia Code § 54.1-54.1-3007(6) in that she is unsafe to practice practical nursing due to mental and physical illness, as evidenced by the following:
  - a. Between July 18, 2016 and July 21, 2016, she received inpatient psychiatric treatment for suicidal threats and abdominal pain at the Centra Health Virginia Baptist Hospital, Lynchburg, Virginia. Her discharge diagnoses included depressive disorder, not otherwise specified, personality disorder, not otherwise specified, and fibromyalgia.
  - b. Between or about September 12, 2016 and September 20, 2016, she received inpatient psychiatric treatment for stabilization, medication management, and suicidal ideations at University of Virginia Hospital East, Charlottesville, Virginia. Her discharge diagnoses included major depressive disorder and chronic pain.
  - c. Between September 21, 2016 and September 30, 2016, she received residential treatment at the Region Ten Wellness Recovery Center, Charlottesville, Virginia. Her discharge diagnoses included major depressive disorder, recurrent episode, severe and adjustment disorders, with mixed anxiety and depressed mood.
  - d. Beginning on June 6, 2016, she received therapy services at New Attitudes Center, Lynchburg, Virginia. Her diagnoses included major depressive disorder, recurrent severe, anxiety disorder, and mood disorder. In a letter dated March 17, 2017, Ms. Tinsley's therapist wrote that she could not fairly assess if she was safe to practice nursing due to her lack of compliance and focus.

3. In a letter to an investigator for the Department of Health Professions ("DHP") dated August 30, 2016, Ms. Tinsley stated that she last worked as a practical nurse in August 2014 at the University of Virginia pulmonary clinic. Prior to that, she had not practiced between 2005 and 2013 due to illness. In a telephone interview with the DHP investigator on April 19, 2017, Ms. Tinsley stated that she was unemployed and on disability.

4. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Tinsley's health records or health services.

### 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. The license issued to Takia Carter Tinsley, L.P.N., to practice practical nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
2. The license of Takia Carter Tinsley, L.P.N., will be recorded as SUSPENDED.
3. This suspension applies to any multistate privilege to practice practical nursing.
4. Should Takia Carter Tinsley, L.P.N., seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Tinsley to demonstrate that she is safe and competent to return to the practice of nursing. Ms. Tinsley 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.

Reviewed and approved on August 26, 2017  
By Allison Gregory, M.S., R.N., F.N.P.-B.C.  
Agency Subordinate

Certified True Copy  
By *agraham*  
Virginia Board Of Nursing