

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: DANIELLE MARIE NELSON, R.N.
License Number: 0001-203756
Case Number: 172898

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 July 19, 2017, in Henrico County, Virginia, to inquire into evidence that Danielle Marie Nelson, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Danielle Marie Nelson, R.N., did not appear at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated June 21, 2017, the Board sent a Notice of Formal Hearing (“Notice”) to Ms. Nelson notifying her that a formal administrative hearing would be held on July 19, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. According to the USPS tracking website, the Notice sent by certified mail was delivered on June 22, 2017. The Notice sent by first class mail was not returned to the Board office. Ms. Nelson requested a continuance by e-mail dated July 18, 2017, and her request was denied. Accordingly, the panel Chair concluded that adequate notice was provided to Ms. Nelson and the formal hearing proceeded in her absence.

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 September 18, 2006, the Board issued License No. 0001-203756 to Danielle Marie Nelson, R.N., to practice professional nursing in the Commonwealth of Virginia. Said License is scheduled to expire on January 31, 2019. At all times relevant hereto, said license was in full force and effect. Her primary state of residence is Virginia.

2. By Order issued June 2, 2006, the Board approved Ms. Nelson’s application to practice professional nursing upon successful completion of the NCLEX-RN examination. The Order included findings that Ms. Nelson had previous convictions of misdemeanor petit larceny and misdemeanor issuance of a bad check, both crimes of moral turpitude.

3. Ms. Nelson, by her own admission, suffers from weakness and pain of her lower extremities to the extent that she is unable to ambulate, has difficulties with daily activities and rarely leaves her home.

4. From July 1, 2014 through September 25, 2015, Ms. Nelson received mental health and substance abuse counseling and medication management through Kaiser Permanente, Woodbridge Medical Center, Woodbridge, Virginia, where she was diagnosed with major depressive disorder, recurrent episode, severe; anxiety disorder; chronic post-traumatic stress disorder; unhealthy substance abuse and drinking behavior; and persistent complex bereavement disorder.

5. The investigator for the Department of Health Professions (“DHP”) testified that at the time of the interview, Ms. Nelson was unable to leave her home due to medical issues. The DHP investigator had to go to Ms. Nelson’s home to interview her. Ms. Nelson told the DHP investigator that she also has issues with her memory.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 3 and 4 constitute a violation of Virginia Code § 54.1-3007(6).

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

ORDER

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

1. The license issued to Danielle Marie Nelson, R.N., to practice professional nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED for a period of not less than two years from the date of entry of this Order.
2. The license of Danielle Marie Nelson, R.N., will be recorded as SUSPENDED.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. Should Ms. Nelson seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Nelson to demonstrate that she is safe and competent to return to the practice of professional nursing. Ms. Nelson 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

Jay Douglas

Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

ENTERED AND MAILED ON:

July 28th, 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 Jay 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. 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 *dgraham*
Virginia Board Of Nursing