

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: ABIGAIL LEBRON-CANNON, R.N.
License Number: 0001-223718
Expiration Date: July 31, 2018
Case Number: 176181

**NOTICE OF INFORMAL CONFERENCE BEFORE AN AGENCY SUBORDINATE
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that an informal conference has been scheduled before an Agency Subordinate of the Board of Nursing (“Board”) regarding your license to practice professional nursing in the Commonwealth of Virginia.

TYPE OF PROCEEDING:	This is an informal conference before an Agency Subordinate of the Board.
DATE AND TIME:	March 15, 2017 at 9:00 a.m.
PLACE:	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd Floor - Virginia Conference Center Henrico, Virginia 23233

LEGAL AUTHORITY AND JURISDICTION:

1. This informal conference is being held pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. After consideration of all information, the Agency Subordinate is authorized to take any of the following actions:

- If the Agency Subordinate finds that there is insufficient evidence to warrant further action or that the charges are without foundation, notify you by mail that your record has been cleared of any charge which might affect your right to practice professional nursing in the Commonwealth;

- Recommend findings of fact, conclusions of law and a sanction, to include a reprimand, placing you on probation with terms, suspension or revocation of your license, or imposing a monetary penalty pursuant to § 54.1-2401 of the Code.

Further, the Agency Subordinate may refer this matter for a formal administrative proceeding pursuant to Virginia Code § 2.2-4020.

Board's Review of Agency Subordinate's Recommended Decision

If you **appear in person or by counsel at the informal conference**, the recommendation of the Agency Subordinate will be presented to a quorum of the Board. The Board may accept or modify the recommendation, or reject the recommendation and refer the case to a formal hearing. If you do not agree with the decision of the Board, you have the right to a formal administrative hearing before the Board.

If you **fail to appear in person or by counsel at the informal conference**, the recommendation of the Agency Subordinate will be presented to a quorum of the Board. The Board may accept or modify the recommendation, or reject the recommendation and refer the case to a formal hearing. The Board's decision regarding the agency subordinate's recommendation is a final order that can only be appealed to circuit court as provided by Rule 2A:2 of the Supreme Court of Virginia.

ABSENCE OF RESPONDENT AND RESPONDENT'S COUNSEL:

If you fail to appear at the informal conference, the Agency Subordinate may proceed to hear this matter in your absence and may take any of the actions outlined above.

RESPONDENT'S LEGAL RIGHTS:

You have the right to the information on which the Agency Subordinate will rely in making a decision, to be represented by counsel at this proceeding, to subpoena witnesses and/or documents, and to present relevant evidence on your behalf.

INFORMAL CONFERENCE MATERIALS:

Enclosed is a copy of the documents that will be considered by the Agency Subordinate when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

FILING DEADLINES:

1. **Deadline for filing materials:** March 7, 2017. Submit 5 copies of all documents you want the Board to consider to Melvina Baylor, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.

2. **Deadline for filing motions, including requests for continuance or objections to materials, in writing, to Melvina Baylor at the above address:** March 7, 2017. **NOTE:** the failure to object to materials does not deprive you of the right to contest their contents at the proceeding.

REQUEST FOR A CONTINUANCE

Absent exigent circumstances, such as personal or family illness, a request for a continuance after **March 7, 2017**, will not be considered. If you obtain counsel, you should do so as soon as possible, as a motion for a continuance due to the unavailability of counsel will not be considered unless received by **March 7, 2017**.

STATEMENT OF ALLEGATIONS

The Board alleges that:

1. At all times relevant hereto, Abigail Lebron-Cannon, R.N., was licensed to practice professional nursing in the Commonwealth of Virginia.


2. Ms. Lebron-Cannon violated Term Nos. 2(b) and 2(g) of the Order of the Board entered February 12, 2016 (“Board’s Order”), which required her to have written progress reports from her psychiatrist sent to the Board no later than 60 days from the entry of the Order and, thereafter, quarterly on the last days of March, June, September, and December, in that the Board received the first report from Ms. Lebron-Cannon’s psychiatrist on March 24, 2016, and a second report on July 8, 2016.

3. Ms. Lebron-Cannon violated Term Nos. 2(c), 2(g), and (2)(i) of the Board’s Order, which required her to notify all present and future practice employers that the Board had placed her on probation, to provide each practice employer with a complete copy of the Order, and to have performance evaluations submitted to the Board quarterly, in that she failed to inform Chesapeake Regional Medical Center, where she was employed at the time the Order was entered until July 15, 2016, that she was on probation or to have this employer submit performance evaluations. In addition, performance evaluations from another employer, Maryview Medical Center, were received as many as eight days late and eighteen days early.

4. Ms. Lebron-Cannon violated Term No. 2(h) of the Board’s Order, which required her to notify the Board of any change in practice employment and to provide the Board with contact information for each practice employer, in that she failed to notify the Board that she was employed with and terminated from Chesapeake Regional Medical Center.

5. Ms. Lebron-Cannon violated Term No. 2(j) of the Board's Order, which required her to provide a complete copy of the Order to all current and future treating practitioners, in that she failed to provide a copy of the Order to one of her treating physicians until approximately nine months after entry of the Order.

6. Ms. Lebron-Cannon violated Term Nos. 2(g) and 2(k) of the Board's Order, which required her to provide written self-reports no later than 60 days from the date of entry of the Order and quarterly thereafter, in that she submitted self-reports that were as many as eight days late and eighteen days early.



Jodi Power, R.N., J.D.
Deputy Executive Director
Virginia Board of Nursing

February 15, 2017
Date