

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: ABIGAIL LEBRON-CANNON, R.N.
License No.: 0001-223718**

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on January 28, 2016, in Henrico County, Virginia, to inquire into evidence that Abigail Lebron-Cannon, R.N. may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board entered on February 4, 2010 ("Board's Order"). The case was presented by Amy Weiss, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Lebron-Cannon was present and was represented by Dante Filletti, legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Abigail Lebron-Cannon, R.N. was issued License Number 0001-223718 to practice professional nursing in the Commonwealth of Virginia on March 18, 2010. Said license is set to expire on July 31, 2016. Ms. Lebron-Cannon's primary state of residence is Virginia.
2. Ms. Lebron-Cannon signed a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") on October 2, 2009.
3. By Order of the Board of Nursing entered February 4, 2010 ("Board's Order"), the Board approved Ms. Lebron-Cannon's application for nurse licensure contingent upon her continued compliance with the HPMP. The Order was based on findings that while licensed as a practical nurse, Ms. Lebron-Cannon had failed to administer medications to several patients as she had documented because, in her

words, her mental illness and failure to take prescribed medications caused her to have “poor decision making at work.”

4. On February 9, 2011, the HPMP approved Ms. Lebron-Cannon’s request to work in the Medical-Surgical Unit of the Maryview Medical Center, Portsmouth, Virginia.

5. Ms. Lebron-Cannon did not show her employer a copy of the Board’s Order or her HPMP contract. Throughout her employment with Maryview Medical Center, Ms. Lebron-Cannon wrote her own required worksite monitor reports and had her sister pose as her worksite monitor.

6. Ms. Lebron-Cannon was dismissed from the HPMP on September 24, 2014, for falsifying worksite monitor information, forging worksite monitor reports, and changing her workplace unit/department without HPMP approval.

7. On January 27, 2015, Ms. Lebron-Cannon told an investigator for the Department of Health Professions (“DHP”) that she “does not know if she would do anything differently.”

8. Ms. Lebron-Cannon currently remains employed with Maryview Medical Center.

9. Ms. Lebron Cannon testified that she has been compliant with taking her required medication and has been under care of a physician for medication management.

10. When she was confronted, Ms. Lebron Cannon admitted the deception to the investigator from DHP.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 6 constitutes a violation of Term No. 1 of the Board’s Order entered February 4, 2010.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. Abigail Lebron-Cannon, R.N. is hereby REPRIMANDED.

2. Ms. Lebron-Cannon is hereby placed on PROBATION for two years of actual professional nursing employment subject to the following terms and conditions:

a. The period of probation shall begin on the date that this Order is entered and shall end at such time as Ms. Lebron-Cannon has completed two years of active practice in employment as a professional nurse. The license of Ms. Lebron-Cannon shall be reinstated without restriction at the completion of the probationary period without an administrative proceeding unless there is a pending investigation or unresolved allegation involving a violation of law, regulation, or any term or condition of probation. In that event, the period of probation shall be continued indefinitely until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 2.2-4000 *et seq.* and § 54.1-2409 *et seq.* of the Code.

b. Ms. Lebron-Cannon shall continue in treatment with her psychiatrist and shall comply with any recommendations of the provider. Written progress reports by the provider shall be sent to the Board until Ms. Lebron-Cannon is discharged from treatment. Ms. Lebron-Cannon shall direct the provider to notify the Board if she withdraws from treatment before being officially discharged by the provider.

c. Performance evaluations shall be provided to the Board, at the direction of Ms. Lebron-Cannon, by her direct supervisor, using forms provided by Compliance and available on the Board's website, the authenticity of which shall be verified by Board of Nursing Compliance staff.

d. Ms. Lebron-Cannon shall not practice nursing during the hours of 12:00 a.m.- 6:00 a.m.

e. Ms. Lebron-Cannon shall provide evidence within 90 days of entry of the Order that she has completed the following National Council of State Boards of Nursing ("NCSBN") online courses: *Disciplinary Actions: What Every Nurse Should Know*; *Ethics of Nursing Practice*; *Professional Accountability & Legal Liability for Nurses*; and *Righting a Wrong: Ethics & Professionalism in Nursing*.

f. Ms. Lebron-Cannon shall return all copies of her license to practice as a professional nurse to the Board office within ten days of the date of entry of this Order, along with payment of a duplicate license fee as specified in the Regulations Governing Nursing. Upon receipt, the Board shall issue a

replacement professional nurse license marked "Valid in Virginia Only; Probation with Terms."

g. Written reports are required by this Order, and, unless otherwise specified, shall be sent to Compliance at the Board offices with the first report(s) received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September, and December until the period of probation ends. Many of the required report forms are available on the Board's website for your convenience.

h. Ms. Lebron-Cannon shall inform the Board in writing within ten days of the date any practice employment begins, changes, is interrupted, or ends. Additionally, Ms. Lebron-Cannon shall provide a contact name, address, and phone number for each practice employer to the Board.

i. Ms. Lebron-Cannon shall inform all current and future practice employers that the Board has placed her on probation, and Ms. Lebron-Cannon shall provide each practice employer with a complete copy of this Order.

j. Ms. Lebron-Cannon shall provide all current and future treating practitioners with a complete copy of this Order and shall execute an Authorization for Disclosure of Information form providing for unrestricted communication between the Board, Compliance, and any treatment providers and/ or any consultants designated by the Board, if applicable.

k. Ms. Lebron-Cannon shall submit "Self-Reports" which include a current address, telephone number, and verification of any and all current practice employment. These reports shall also include any changes in practice employment status. Self-Reports must be submitted whether Ms. Lebron-Cannon has current practice employment or not.

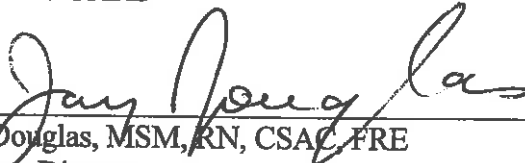
l. Any violation of the stated terms and conditions contained in this Order, or failure to comply with all terms of this Order within five years of the date of entry of this Order, shall be reason for suspending or revoking the license of Ms. Lebron-Cannon, and an administrative proceeding may be held to determine whether her license shall be suspended or revoked.

3. This Order shall be applicable to Ms. Lebron-Cannon's multistate licensure privileges, if any, to practice professional nursing. It is further ordered that for the duration of this Order, Ms. Lebron-Cannon may not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where she wishes to work.

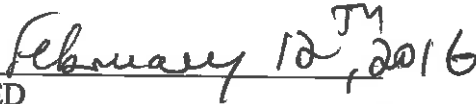
4. Ms. Lebron-Cannon shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying on request.

FOR THE BOARD



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



ENTERED

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 P. Douglas, MSM, RN, CSAC, FRE, 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 *debraham*
Virginia Board Of Nursing