

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: ABIGAIL LEBRON-CANNON, L.P.N., R.N. APPLICANT

ORDER

In accordance with §§ 2.2-4019, 2.2-4021, and 54.1-2400(7) and (10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted by a committee of two members of the Board of Nursing ("Board") on October 22, 2009, in Henrico County, Virginia, to consider the application of Abigail Lebron-Cannon, L.P.N., R.N. Applicant, for licensure by examination as a professional nurse and to inquire into evidence that she may have violated certain laws and regulations governing nursing in Virginia. Ms. Lebron-Cannon was present and was not represented by legal counsel. The Informal Conference Committee ("Committee") submitted a Recommended Decision for consideration.

On January 26, 2010, the Board met to receive and act upon the Recommended Decision of the Committee. Ms. Lebron-Cannon was present and was not represented by legal counsel.

Based upon its review of the Recommended Decision of the Committee, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Abigail Lebron-Cannon, L.P.N., R.N. Applicant, was issued License No. 0002-074336 to practice practical nursing in the Commonwealth of Virginia on September 6, 2006. Said license is set to expire on December 31, 2009.
2. Ms. Lebron-Cannon submitted an application for licensure by examination as a professional nurse on September 29, 2009.
3. Ms. Lebron-Cannon was diagnosed with Bipolar Disorder and depression in 2008, for which she was prescribed medication.

4. By Ms. Lebron-Cannon's own admission, during the course of her employment with Westminster Canterbury on Chesapeake Bay, Virginia Beach, Virginia, on April 18 and 19, 2009, Ms. Lebron-Cannon documented administering medications to several patients when she had not done so. No patients were harmed. Ms. Lebron-Cannon's employment was terminated as a result of her actions.

5. Ms. Lebron-Cannon maybe unsafe to practice as a practical nurse due to mental illness. By her own admission in a letter dated May 8, 2009, her mental disorders influenced her judgment "resulting in poor decision making at work."

6. At the informal conference, Ms. Lebron-Cannon disclosed that she had not taken her medications for approximately one month before the incidents occurred in her workplace. As a result, when she reported to work, she was not thinking clearly. Ms. Lebron-Cannon expressed remorse for her actions and maintained that she would not fail to take her medications as ordered again.

7. Ms. Lebron-Cannon reported that she sees a counselor every two weeks and sees a psychiatrist every ten to 12 weeks. She reported that she had a support system in place and she was not employed.

8. Ms. Lebron-Cannon signed a Participation Contract with the Virginia Health Practitioners' Monitoring Program ("HPMP") on October 2, 2009.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(e) and (f) of the Regulations Governing the Practice of Nursing.
2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(6) of the Code.
3. Ms. Lebron-Cannon otherwise meets the qualifications of § 54.1-3017 of the Code.

ORDER

WHEREFORE, it is hereby ORDERED that the application of Abigail Lebron-Cannon, L.P.N, R.N. Applicant, for licensure by examination as a professional nurse is APPROVED. Upon successful completion of the NCLEX-RN examination, Ms. Lebron-Cannon shall be issued a license marked "Valid in Virginia Only," to practice as a professional nurse in the Commonwealth. Therefore, she must comply with the following terms and conditions:

1. Ms. Lebron-Cannon shall remain in compliance with all terms and conditions of the HPMP for the period specified in the Contract.
2. This order shall be applicable to Ms. Lebron-Cannon's multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Lebron-Cannon shall not work outside 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. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.
3. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Abigail Lebron Cannon, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Lebron-Cannon shall be noticed to appear before the Board at such time as the Board is notified that:
 - a. Ms. Lebron-Cannon is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
 - b. There is a pending investigation or unresolved allegation against Ms. Lebron-Cannon involving a violation of law or regulation or any term or condition of this Order; or

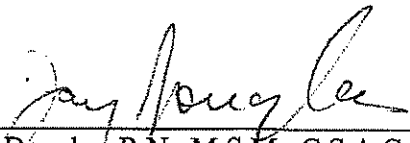
c. Ms. Lebron-Cannon has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Lebron-Cannon's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Lebron-Cannon's appearance before the Board and conduct an administrative review of this matter.

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.

This Order is subject to appeal to the Board. If Ms. Lebron-Cannon desires a formal administrative hearing before the Board pursuant to §§ 2.2-4020 and 2.2-4021 of the Code, she must notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, in writing, within 33 days from the date of service of this Order. Upon the filing of a request for the hearing with the Executive Director, this Order shall be vacated.

Pursuant to § 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 a public record, and shall be made available for public inspection and copying upon request.

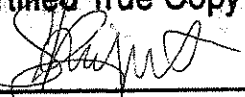
FOR THE BOARD



Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director for the
Board of Nursing

Entered: February 4th 2010

Certified True Copy

By 

Virginia Board of Nursing