

Certified True Copy

By David E. Brown  
Virginia Board Of Nursing



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JUN 02 2017

COMMONWEALTH of VIRGINIA VA BD OF NURSING

David E. Brown, D.C.  
Director

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June 2, 2017

Robin Leigh Rauer Borsos, R.N.  
146 Chimney Drive  
Bunker Hill, WV 25413

DUPLICATE COPY  
VIA FIRST CLASS MAIL  
DATE 6/2/17

RE: License Number: 0001-094778  
Case Number: 180680

Dear Ms. Borsos:

Pursuant to Virginia Code § 54.1-2409, you are hereby given notice that your license to practice professional nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered June 1, 2017. You are hereby advised that you may not practice professional nursing or hold yourself out as a licensed professional nurse unless and until the Board of Nursing has notified you in writing that your license has been reinstated. Please return your license to Jay P. Douglas, Executive Director of the Virginia Board of Nursing ("Board"), at the above address, immediately upon receipt of this letter.

You may apply to the Board for reinstatement of your license, and you shall be entitled to a formal administrative hearing not later than the next regular meeting of the Board after the expiration of 60 days from the Board's receipt of your reinstatement application. The reinstatement of your license shall require the affirmative vote of three-fourths of the members of the Board present at the hearing. The reinstatement application can be found at [www.dhp.virginia.gov/Nursing](http://www.dhp.virginia.gov/Nursing).

If you have any questions about this matter, you can contact me at (804) 367-4474 or [anne.joseph@dhp.virginia.gov](mailto:anne.joseph@dhp.virginia.gov).

Sincerely,

Anne Joseph, Deputy Director  
Administrative Proceedings Division

cc:  
Enclosures

**BEFORE THE VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS**

**IN RE: ROBIN LEIGH RAUER BORSOS, R.N.**  
**License Number: 0001-094778**  
**Case Number: 180680**

**ORDER OF MANDATORY SUSPENSION**


In accordance with Virginia Code § 54.1-2409, I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that Robin Leigh Rauer Borsos, R.N., consented to the suspension of her license to practice as a registered professional nurse in the State of West Virginia. A certified copy of the fully executed Proposed Consent Agreement of the West Virginia State Board of Examiners for Registered Professional Nurses is attached hereto as Commonwealth's Exhibit 1.

WHEREUPON, by the authority vested in the Director of the Department of Health Professions pursuant to Virginia Code § 54.1-2409, it is hereby ORDERED that the license of Robin Leigh Rauer Borsos, R.N., to practice professional nursing in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the license of Robin Leigh Rauer Borsos, R.N., will be recorded as suspended and no longer current and valid. Should Robin Leigh Rauer Borsos, R.N., seek reinstatement of her license pursuant to Virginia Code § 54.1-2409, she shall be responsible for any fees that may be required for the reinstatement of the license prior to issuance of the license to resume practice.

This Order shall be applicable to Ms. Borsos' multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia.

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 or copying on request.

  
\_\_\_\_\_  
David E. Brown, D.C., Director  
Virginia Department of Health Professions

ENTERED:

6/1/17  
\_\_\_\_\_

## CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Proposed Consent Agreement entered April 7, 2017, regarding Robin L. R. Borsos, R.N., is a true copy of the records received from the West Virginia State Board of Examiners for Registered Professional Nurses.



\_\_\_\_\_  
David E. Brown, D.C.

Date: \_\_\_\_\_

6/1/17



**WEST VIRGINIA STATE BOARD OF EXAMINERS  
FOR REGISTERED PROFESSIONAL NURSES**

**IN THE MATTER OF ROBIN BORSOS**

**PROPOSED CONSENT AGREEMENT**

Comes now ROBIN BORSOS (BORSOS), and the West Virginia Board of Examiners for Registered Professional Nurses ("Board"), for the purpose of determining what disciplinary action should be taken against BORSOS by the Board pursuant to West Virginia Code §30-7-1 et seq. (1993). As reflected in this document, BORSOS has admitted to the stipulations set forth herein, and moves the Board consider these stipulations and the terms of the accompanying proposed agreement, and enter an ORDER accepting the proposed terms set forth below.

In offering this proposal for settlement of the complaint against license number 35553, BORSOS acknowledges that the Board may reject this proposal, and may hold a hearing to impose revocation or other conditions of a disciplinary nature as it deems appropriate.

**STIPULATIONS**

1. BORSOS holds registered professional nursing license number 35553, issued by the Board on July 11, 1984.
2. At all times pertinent BORSOS was employed at the Veterans Administration (VA Hospital), Martinsburg, West Virginia.
3. The Board received a complaint from a patient indicating during his five (5) months stay at the VA Hospital, he and Borsos became friends, then they became boyfriend and girlfriend. The patient further stated, Borsos told him that she was getting a divorce from her husband. She would come by his room five (5) and six (6) times every night, they would kiss and hug and he would play with her breasts. She would bring him food every now and then. He would give her money. One time he gave her \$150.00 then \$263.00 and when he left he gave her his wallet with \$380.00. He fell in love with her. He would ask her to go into the computer and get him a copy of his medical records, for meds-diagnosed medical problems and she did because she loved him too. All the nurses knew Ms. Borsos was coming to his room all the time.
4. The patient went home for two (2) months and when he got back she asked him to marry her, he said he would think about it. The patient was put on a specific floor, but got moved back to another floor, was there for five (5) days and then to another floor because the administration knew something was going on. The Head Nurse, told Ms. Borsos to stay away from him and the floor the patient was on. Borsos kept coming back sneaking in his room. He asked her how the divorce was coming and she

said her lawyer wanted \$2,200.00 and she was short \$900.00, so the patient gave Borsos \$700.00. After that Borsos called the patient and said it was over.

5. The Board sent Borsos an official Notice of Complaint incorporating the allegation(s) contained in the complaint.

6. In Borsos response to the NOC in pertinent part, she admits she and the patient "became friends", spending time in the patient's room, visiting the patient on her days off, visiting the patient after she resigned from the VA and, "hugging" the patient.

7. Borsos further admit's she "got too close" to the patient.

8. Borsos stated, "not sure I fell in love" and the "friendship" was what she needed at the time because of stress in her life such as "marital problems" and her daughter had moved out.

9. Borsos denies "inappropriate touching", denies showering with the patient, and denies accepting money from the patient.

10. The patient also filed a complaint against Borsos with the VA Hospital.

11. Borsos resigned prior to the VA Hospital's internal investigation.

12. The VA Hospital's administration's investigation concluded Borsos admitted to the relationship and resigned, the relationship was inappropriate and the relationship was consensual.

13. Borsos admits the above stipulations are true.

14. Borsos acknowledges that her conduct violated West Virginia Code §30-7-11 (f), which state that the licensee may be disciplined if he or she (f)[i]s guilty of conduct derogatory to the morals or standing of the profession of registered nursing;".

#### **CONCLUSIONS OF LAW**

The Board concludes that the stipulations support the sanction of disciplinary action pursuant to West Virginia Code § 30-7-1 et seq. pertaining to the practice of registered professional nursing.

The stipulations support sanctions under West Virginia Code § 30-7-11(f), which provides that a licensee may be disciplined upon proof that he or she "[i]s guilty of conduct derogatory to the morals or standing of the profession of registered nursing." The Board's legislative rule in W. Va. Code R. § 19-3-14 specifically sets forth certain conduct which constitutes professional misconduct that is subject to disciplinary action under West Virginia Code § 30-7-11(f).

The above stipulations support a finding that BORSOS engaged in professional misconduct in violation of the following provision under W. Va. CSR § 19-3-14:

a. West Virginia Code §30-7-11 (f), which states that a licensee may be disciplined upon proof that he or she [i]s guilty of conduct derogatory to the morals or standing of the profession of registered nursing.

Pursuant to West Virginia Code C.S.R. §19-3-14 14.1 Conduct but not limited to the following, if proven by a preponderance of evidence, constitutes professional misconduct subject to disciplinary action pursuant to West Virginia Code 30-7-11 (f).

14.1.a. failed to adhere to common and current standards for professional nursing practice, including but not limited to standards established by a national professional nursing organization, nursing research, nursing education, or the board;

14.1.o. engaged in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public or any member of the public; thus, not exercising good professional character; and,

14.1.qq. failed to maintain appropriate professional boundaries in the nurse-patient/client relationship.

### CONSENT

BORSOS, by affixing his signature hereon, agrees to the following:

1. She acknowledges that she is aware of her option to retain legal counsel and to be represented by legal counsel at a formal hearing before the Board.
2. She intelligently and voluntarily waives her right to a formal hearing before the Board in this matter, if the Board accepts the terms and conditions set forth herein and joins with her in executing this agreement.
3. She acknowledges that she is fully aware that without her consent, no legal action can be taken against her by this Board, except pursuant to West Virginia Code §30-7-1 et seq. and relevant rules.
4. She submits this proposed agreement freely and voluntarily and not under duress, restraint or compulsion.
5. She agrees that the Board may investigate her background at any time during the term of this agreement.
6. She consents to the entry of the following order affecting her license to practice registered professional nursing in the State of West Virginia.

7. She understands that the Board may accept or reject the facts and terms set forth in this proposed agreement, and may impose revocation or other conditions of a disciplinary nature as are deemed appropriate.

### ORDER

On the basis of the foregoing, the Board hereby ORDERS that license number 35553, issued to Borsos, be suspended for the period of one (1) year. Such suspension is hereby stayed contingent upon Borsos complying with the terms set forth below, and license number 35553 is placed on probation for a period of 1 year employment as a registered professional nurse. The computation of such period is to begin on the date on which notice is received in the office of the Board that Borsos is employed as a registered professional nurse and shall run only during such time that she is employed as a registered professional nurse on at least a permanent part-time basis (forty hours every two weeks) or full time basis in the State of West Virginia. The Board also ORDERS Borsos pay a fine and administrative costs in the amount of One Thousand Dollar(s) (\$1,000.00).

To receive and maintain a probationary license, regardless of employment status, Borsos shall meet the following conditions:

#### **Terms:**

1. Borsos shall not violate the provisions of West Virginia Code §30-7-1 et seq.
2. Borsos shall not commit any act which would be a crime under West Virginia or federal law. If Borsos is charged by any law enforcement agency with committing any such criminal act, she shall notify the Board in writing of the formal charge(s) against her, and resolution of same.
3. Borsos shall maintain a current and active license in the State of West Virginia. He shall not allow his license to lapse or be placed on an inactive status.
4. Borsos shall not, under any circumstances, misrepresent her licensure status.
5. Borsos shall not be employed by a nursing registry, temporary nursing agency, home health care agency, or as a private duty nurse.
6. Borsos shall not work in an autonomous nursing position. She shall work only under the direct supervision of a registered professional nurse in a structured setting throughout the term of her probation. Such supervising registered professional nurse must, at the time of said supervision, hold an active, unencumbered West Virginia license.

7. Borsos shall inform the Board in writing within ten (10) days of the date she assumes the practice of registered professional nursing, or any employment in the health care field, in the State of West Virginia and shall include the name, address, and telephone number of her employer. She shall provide in writing the name of her immediate registered professional nurse supervisor. Borsos shall inform the Board of any interruption in nursing practice or change in employment within ten (10) days of such interruption or change.

8. Borsos shall immediately inform her nursing employer, any prospective nursing employer, and the director of any nursing education program in which she enrolls or teaches, that the Board has placed her license on probation, and shall provide a complete copy of this agreement to her employer(s). The Board may provide her employer(s) with a copy of this agreement and may communicate with her employer(s).

9. Borsos shall, within ten (10) days of employment or continuation of practice, cause her employer or immediate registered professional nurse supervisor, to notify the Board, in writing, of the employer or supervisor's receipt of a copy of this agreement. Borsos shall further cause her employer or supervisor to submit monthly reports to the Board describing Borsos' job performance, attendance, attitude, and other work behaviors during the first year of probation and if her progress is satisfactory to the Board, quarterly thereafter.

10. During the probationary period, Borsos shall submit evidence of completion of the following continuing education courses, "Ethics of Nursing Practice", "Righting a Wrong: Ethics and Professionalism in Nursing" and, "Respecting Professional Boundaries" offered by the National Council of State Boards of Nursing at [www.learningext.com](http://www.learningext.com); in addition to those required by law.

11. Borsos shall report in person for appointment with the Board staff upon request.

12. Borsos shall annually submit to the Board a written personal statement. The statement shall be due at the end of the first year and in each subsequent year during the month in which this agreement is accepted by the Board.

13. Borsos shall cause monthly reports to be submitted to the Board by any treating physician and/or psychiatrist relating to medication management, dosage adjustments and medication response.

**Violation of Terms:**

1. If, during said probationary period, the Board is presented with sufficient evidence that Borsos, without prior written consent of the Board, is in violation of the terms of this Consent Agreement, the Board may immediately summarily suspend



**Borsos' probationary license. In such case, Borsos expressly waives the right to an automatic post-deprivation hearing unless requested by Borsos as provided below.**

2. The Board shall immediately notify Borsos via certified mail of the specific nature of the charges, and the suspension of her license. The Order of Suspension shall set forth the nature and terms of the suspension and any conditions that Borsos must satisfy for reinstatement.

3. In the event that Borsos disputes she violated the terms of this agreement and wishes to contest the summary suspension, **Borsos has the burden to request a hearing before the Board.** Upon receipt of Borsos' request for hearing, the Board shall immediately set the matter for hearing within twenty (20) days. If the charges are not proven, Borsos' probationary license shall be reinstated with the time period of the license suspension credited toward her probationary period. If the hearing is not held within the twenty (20) day period, at the fault of the Board, the suspension shall be discontinued, and Borsos' probationary license shall be deemed effective until the hearing is held. If the hearing is not held within the twenty (20) day period, at the fault or request of Borsos or her counsel, the suspension shall continue until the hearing is held. Borsos hereby waives the provisions of the West Virginia Code § 30-7-1, or any other applicable statute or rules, including but not limited to the Board's rules and regulations requiring thirty (30) days' notice prior to hearing.

4. If Borsos requests a hearing following suspension for violation of this agreement and does not prevail, the costs incurred in holding such a hearing shall be borne by Borsos. If Borsos prevails, the costs of such a hearing shall be borne by the Board. Costs shall refer only to the expense of employing a court reporter and hearing examiner for the purpose of the hearing, and shall not include any legal or other fees incurred by the Board or Borsos in bringing the matter to hearing.

5. In lieu of a hearing, Borsos may seek reinstatement of her probationary license through renewal of this agreement, or execution of a new agreement, which may contain different or additional terms. The Board is not bound to comply with this request.

**Petition for Reinstatement:**

14. Following the probationary period, Borsos may petition to appear before the Board and submit satisfactory evidence that she is presently able to safely engage in the practice of registered professional nursing. Evidence in support of this request shall include:

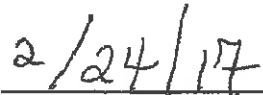
- a. Letter of reference from Borsos employer, if employed;

- b. Letter of reference from all physicians/therapists and/or counselors involved in Borsos' healthcare (if applicable);
- c. At least three (3) letters of personal reference, one of which shall be from Borsos' employer, if Borsos is employed. These letters should attest to the adequacy of Borsos' judgment;
- d. Letter from Borsos outlining her future plans;
- e. A letter from Borsos explaining what she has learned from this experience; and,
- f. Payment of all fines and administrative costs.


However, the terms of this Order shall remain in effect and subject to yearly review and appropriate revision by the Board until such time as Borsos' license is fully reinstated by the Board.

WHEREFORE, Borsos hereby requests that the Board accept the stipulations and impose sanctions in accordance with West Virginia Code §30-7-1 et seq.

  
\_\_\_\_\_  
ROBIN BORSOS

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Date

Agreed to:

DocuSigned by:

*Judy Nystrom*

\_\_\_\_\_  
Mrs. Judy Nystrom  
Disciplinary Review Committee Member

4/4/2017

\_\_\_\_\_  
Date

DocuSigned by:

*Teresa D. Ritchie*

\_\_\_\_\_  
Teresa Ritchie, RN, MSN, FNP, DFNP  
Disciplinary Review Committee Member

4/6/2017

\_\_\_\_\_  
Date

*Sue Painter*

\_\_\_\_\_  
Dr. Sue Painter, DNP, RN  
Executive Director  
West Virginia Board of Examiners  
for Registered Professional Nurses

*4/7/17*

\_\_\_\_\_  
Date

ENTERED: This the 7<sup>th</sup> day of April, 2017.