

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: ELLYN W. ALGARIN, R.N.
 License No.: 0001-121823**

CONSENT ORDER

The Virginia Board of Nursing (“Board”) and Ellen W. Algarin, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Algarin’s license to practice professional nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Ellyn W. Algarin, R.N., was issued License No. 0001-121823 to practice professional nursing by the Virginia Board of Nursing on January 9, 1991. Said license was suspended by Order of the Board entered August 27, 2003, was reinstated by Order of the Board entered June 25, 2010, and is now set to expire on June 30, 2013. Her primary state of residence is Virginia.

2. The Board reinstated Ms. Algarin’s license to practice professional nursing in June 2010 based, in part, on her having entered into the Health Practitioners’ Monitoring Program (“HPMP”) to monitor her recovery from substance abuse/dependence. Term No. 1 of the Board’s Order of June 25, 2010 (“Board’s Order”) conditioned the reinstatement of Ms. Algarin’s license on her continued compliance with the HPMP.

3. Ms. Algarin was dismissed from the HPMP on January 20, 2012, due to her failure to comply with the urine toxicology screening program.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of Term No. 1 of the Board’s June 25, 2010, Order.

CONSENT

Ellyn W. Algarin, R.N., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice professional nursing in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. Ellyn W. Algarin, R.N., is hereby REPRIMANDED.
2. License No. 0001-121823 of Ellyn W. Algarin, R.N., is INDEFINITELY SUSPENDED.
3. The license will be recorded as suspended and no longer current.
4. At such time as Ms. Algarin shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and

competent practice of professional nursing. Ms. Algarin shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.

5. This suspension applies to any multistate privilege to practice professional nursing in the Commonwealth of Virginia.

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 upon request.

FOR THE BOARD

Patricia M. Selig, R.N., F.N.P., Ph.D.
President, Virginia Board of Nursing

ENTERED: July 17, 2012

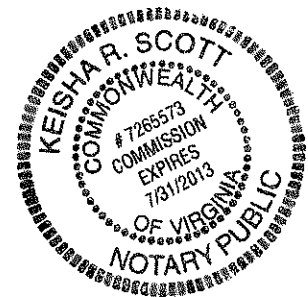
SEEN AND AGREED TO:

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Fairfax, TO WIT:

Subscribed and sworn to before me, Keisha R. Scott, a Notary Public, this 7 day of June, 2012.

My commission expires 7/31/13

Registration Number 7265573

NOTARY PUBLIC

Certified True Copy

By [Signature]
Virginia Board of Nursing