

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: ANGELA NOWAK STINSON, R.N. REINSTATEMENT APPLICANT
License Number: 0001-235340
Suspension Date: January 5, 2017
Case Number: 178729

**NOTICE OF FORMAL ADMINISTRATIVE HEARING
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that a Formal Hearing has been scheduled before the Board of Nursing ("Board") regarding your application for reinstatement of your license to practice professional nursing in the Commonwealth of Virginia following its mandatory suspension by the Department of Health Professions.

TYPE OF PROCEEDING:	This is a formal administrative hearing before a panel of the Board.
DATE AND TIME:	March 20, 2017 2:00 P.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 formal hearing is being held pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.
2. The burden rests on you, as the applicant, to demonstrate that you are prepared to resume the safe and competent practice of professional nursing.
3. In considering your application, the Board will consider evidence that grounds exist to deny your application for reinstatement of your license to practice professional nursing, as more fully set out in the enclosed Statement of Allegations.
4. At the conclusion of the proceeding, the Board is authorized to take any of the following actions:
 - Approve your application and issue an unrestricted license to practice professional nursing;
 - Approve your application and issue a reprimand, a monetary penalty, and/or a restricted license subject to terms and conditions;

- Deny your application;
- Deny your application and continue your license on indefinite suspension or revoke your license.

ABSENCE OF APPLICANT AND APPLICANT'S COUNSEL:

If you fail to appear at the formal hearing, the Board may proceed to hear this matter in your absence and may take any of the actions outlined above.

APPLICANT'S LEGAL RIGHTS:

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

COMMONWEALTH'S EXHIBITS:

Enclosed is a copy of the documents that will be distributed to the members of the Board and will be considered by the Board when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the notice sent by overnight mail. Please bring these documents with you to the formal hearing.**

FILING DEADLINES:

1. Deadline for filing exhibits: **March 17, 2017**. Submit 15 copies of all documents you want the Board to consider to Darlene Graham, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail. Please note that any documentation or evidence that you previously submitted for an informal conference that is not already part of the Commonwealth's evidence must be resubmitted as an exhibit if you want the Board to consider it at the hearing.

The Commonwealth must file any objections to your submissions in writing, addressed to Darlene Graham at the Board office, no later than **March 20, 2017**. If no objections have been received by **March 20, 2017**, the evidence will be distributed to the Board members for their review, and will be considered by the Board as evidence when it deliberates upon your case. If the Commonwealth raises objections, you have until **March 20, 2017**, to file your response to the objections, in writing and addressed to Darlene Graham at the Board office. The Chair of the proceeding will rule on the motion.

2. Deadline for filing motions: **March 17, 2017**, addressed to Darlene Graham at the above address.

3. Deadline for filing any objections to the Commonwealth's exhibits, in writing, to Darlene Graham at the above address: **March 17, 2017**. If you do not file objections by this date, the exhibits will be distributed to the Board members for their review prior to your hearing, and will be considered by the Board as evidence when it deliberates on your case. If you do file objections, the

Commonwealth has until **March 17, 2017** to file a response to the objections, in writing, and addressed to Darlene Graham at the Board office. The Chair of the proceeding will rule on the motion. NOTE: failure to object to the distribution of the Commonwealth's exhibits prior to the proceeding will not affect your right to contest any information contained in those exhibits at the proceeding.

REQUEST FOR A CONTINUANCE:

Absent exigent circumstances, such as personal or family illness, a request for a continuance after **March 17, 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 17, 2017**.

Pursuant to Virginia Code § 54.1-2409(D), reinstatement of your license requires the affirmative vote of three-fourths of the members of the Board in attendance at the hearing.

STATEMENT OF ALLEGATIONS

The Board alleges that grounds exist to refuse to reinstate the license of Angela Nowak Stinson to practice professional nursing in that:

1. Angela Nowak Stinson violated Virginia Code § 54.1-3007(4) in that, on April 8, 2014, in the Circuit Court of the City of Virginia Beach, Virginia, Ms. Stinson was found guilty of grand larceny, a felony. Pursuant to Virginia Code § 54.1-2409, this conviction formed the basis for the mandatory suspension of her certificate by Order of the Department of Health Professions entered January 5, 2017.

2. Ms. Stinson violated Virginia Code § 54.1-3007(2) and 18 VAC 90-20-300(A)(2)(e) of the Regulations Governing the Practice of Nursing (currently found at 18 VAC 90-19-230(A)(2)(e) effective February 24, 2017) in that:

a. On or about October 15, 2013, on her employment application with Carrington Place of Chesapeake (“Carrington”), Chesapeake, Virginia, she falsely stated that her reason for leaving Kempsville Health & Rehabilitation (“Kempsville”), Virginia Beach, Virginia, was that she “wanted a new skill set,” when, in fact, her employment had been terminated.

b. On or about October 14, 2013, on her employment application with Envoy – Consulate Health Care of Norfolk (“Envoy”), Norfolk, Virginia, she falsely stated that her reason for leaving Kempsville was that she “needed a change, wanted a new skill set,” when, in fact, her employment had been terminated.

3. Ms. Stinson violated Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing (currently found at 18 VAC 90-19-230(A)(2)(f) effective February 24, 2017) in that during the course of her employment with Envoy,

between November 2013 and June 2015, Ms. Stinson was cited for the following: admittedly failing to document and verify new orders with treating physicians, loud and unprofessional conduct at the nurses station, refusing to accept job assignments, absences and tardiness, poor job performance, failing to return the facility's phone calls when asked to come in and review documentation for accuracy, leaving x-rays that had been ordered for a resident on the fax machine until the following day, and failing to follow a resident's plan of care in positioning him to treat a wound.

Jodi P. Famer

for Jay Douglas, M.S.M, R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

March 14, 2017

Date