

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: MELISSA JANE ARNOLD JACKSON, L.P.N.
License Number: 0002-038401
Case Number: 171348

RATIFICATION AND ORDER

On March 22, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Melissa Jane Arnold Jackson, L.P.N., was not present nor was she represented by legal counsel.

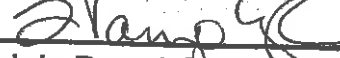
In consideration whereof, the Board of Nursing ACCEPTS the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and ADOPTS the Recommended Order in its entirety.

Pursuant to Virginia Code § 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 and copying upon request.

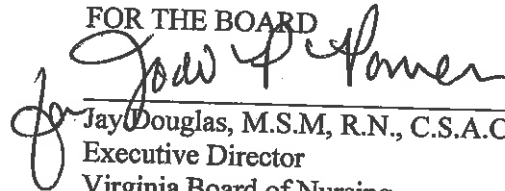
Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Jackson's health records or health services.

Since Ms. Jackson failed to appear at the informal conference, this Order shall be considered final. Ms. Jackson has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Jackson has thirty days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three days are added to that period.

Certified True Copy

By 
Virginia Board Of Nursing

FOR THE BOARD


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

ENTERED AND MAILED ON:

March 30, 2017

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: MELISSA JANE ARNOLD JACKSON, L.P.N.
License Number: 0002-038401
Case Number: 171348

REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Judith Piersall, R.N., B.S.N., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on January 18, 2017 in Henrico County, Virginia, to inquire into evidence that Melissa Jane Arnold Jackson, L.P.N., may have violated certain laws and regulations governing the practice of nursing in the Commonwealth of Virginia.

Ms. Jackson did not appear at this proceeding and was not represented by legal counsel.

Upon consideration of the evidence, the Agency Subordinate makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

Notice

By letter dated December 21, 2016, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Jackson notifying her that an informal conference would be held on January 18, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. The Notice sent by certified mail was returned to the Board marked “unable to forward/return to sender.” The Notice sent by first class mail was not returned to the Board office. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Ms. Jackson and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Melissa Jane Arnold Jackson, L.P.N., was issued License Number 0002-038401 to practice practical nursing on May 20, 1987, which expired on May 31, 2016. At all times relevant to the findings herein, said license was in full force and effect. Her primary state of residence is Virginia.
2. Melissa Jane Arnold Jackson, L.P.N., violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice nursing due to mental illness and/or substance abuse, as evidenced by the following:
 - a. Between March 2014 and December 2015, she was hospitalized six times, on an emergency basis, due to depression and alcohol intoxication. On one of those occasions, in December 2015, she acknowledged having consumed an excessive amount of tramadol (C-IV). While hospitalized, she acknowledged her history of alcohol abuse.
 - b. On March 7, 2014, during the course of her employment as an administrative staff person with Albemarle Therapy Center, Charlottesville, Virginia, she appeared intoxicated while on duty.
 - c. On May 23, 2016, in the Circuit Court of Greene County, Virginia, she was convicted of driving while intoxicated (“DWI”) for an offense that occurred on December 8, 2015. On May 18, 2016, in the General District Court of Greene County, Virginia, she was convicted of DWI for an offense that occurred on April 20, 2016.
3. Ms. Jackson violated Virginia Code § 54.1-3007(4) in that on April 13, 2016, in the General District Court of Greene County, Virginia, she was convicted of shoplifting, a misdemeanor crime of moral turpitude.

4. Ms. Jackson did not respond to contact attempts by an investigator for the Department of Health Professions. No current employment information was available.

5. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Jackson's health records or health services.

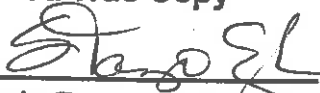
Recommended Order

Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Board issue an Order as follows:

1. The right of Melissa Jane Arnold Jackson, L.P.N., to renew her license to practice practical nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
2. The license of Melissa Jane Arnold Jackson, L.P.N., will be recorded as SUSPENDED.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. Should Melissa Jane Arnold Jackson, L.P.N., seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Jackson to demonstrate that she is safe and competent to return to the practice of practical nursing. Ms. Jackson shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.

Reviewed and approved on February 9, 2017
By Judith Piersall, R.N., B.S.N.
Agency Subordinate

Certified True Copy

By 
Virginia Board Of Nursing