

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: KEISHA MARIE BROOKS, L.P.N.
License Number: 0002-072926
Case Number: 175002

RATIFICATION AND ORDER


On January 25, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Keisha Marie Brooks, 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.

Since Ms. Brooks failed to appear at the informal conference, this Order shall be considered final. Ms. Brooks 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. Brooks 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 Douglas, M.S.M., R.N., C.S.A.C., F.R.E., 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.

FOR THE BOARD


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

Certified True Copy

By 
Virginia Board Of Nursing

ENTERED AND MAILED ON:


February 7th, 2017

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REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Nancy K. Durrett, R.N., M.S., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on December 13, 2016 in Henrico County, Virginia, to inquire into evidence that Keisha Marie Brooks, L.P.N., may have violated certain terms and conditions of the Board Order entered August 8, 2013.

Ms. Brooks 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 November 17, 2016, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Brooks notifying her that an informal conference would be held on December 13, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. The certified mail receipt was signed and returned to the Board office. 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. Brooks and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Keisha Marie Brooks, L.P.N., was issued License Number 0002-072926 to practice practical nursing on February 2, 2006, which expired on July 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. By Order of the Board entered August 8, 2013, Ms. Brooks was reprimanded and placed on indefinite probation for not less than two years of actual nursing employment. Said action was based on findings that Ms. Brooks falsified timesheets regarding home health visits and failed to prepare nursing notes for home visits.

3. By Consent Order of the Board entered October 30, 2014, Ms. Brooks was reprimanded for, among other things, failing to submit required quarterly self-reports.

4. Ms. Brooks violated Term No. 2(h) of the Order of the Board entered August 8, 2013, which required her to submit quarterly self-reports, in that three out of seven quarterly self-reports were not submitted in a timely manner and two self-reports have not been submitted. Specifically, the self-report due December 31, 2014 was received February 4, 2015; the self-report due March 31, 2015 was received April 7, 2015; and the self-report due December 31, 2015 was received January 21, 2016. The self-reports due March 31 and June 30, 2016, have not been received.

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. Keisha Marie Brooks, L.P.N., is REPRIMANDED.
2. The right of Keisha Marie Brooks, L.P.N., to renew her license to practice practical nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
3. The license of Keisha Marie Brooks, L.P.N., will be recorded as SUSPENDED.

4. This suspension applies to any multistate privilege to practice practical nursing.

5. Should Keisha Marie Brooks, 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. Brooks to demonstrate that she is safe and competent to return to the practice of practical nursing. Ms. Brooks 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 January 3, 2017
By Nancy K. Durrett, R.N., M.S.
Agency Subordinate