

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE :       MARILYN MARCIA GORDON, R.N.  
              License Number: 0001-088197  
              Case Number: 173802

RATIFICATION AND ORDER

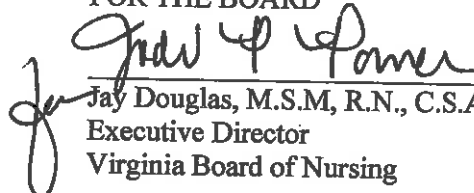
On January 25, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Marilyn Marcia Gordon, R.N., was not present nor was she represented by legal counsel.

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. Gordon failed to appear at the informal conference, this Order shall be considered final. Ms. Gordon 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. Gordon 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, 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 2, 2017

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:           MARILYN MARCIA GORDON, R.N.**  
**License Number: 0001-088197**  
**Case Number:       173802**

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**REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE**

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**Jurisdiction and Procedural History**

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Allison Gregory, M.S., R.N, F.N.P.-B.C., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on December 15, 2016 in Henrico County, Virginia, to inquire into evidence that Marilyn Marcia Gordon, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Ms. Gordon 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 10, 2016, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Gordon notifying her that an informal conference would be held on December 15, 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 on November 18, 2016. 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. Gordon and the informal conference proceeded in her absence.

### **Recommended Findings of Fact and Conclusions of Law**

1. Marilyn Marcia Gordon, R.N., was issued License Number 0001-088197 to practice professional nursing on March 21, 1983, which is scheduled to expire on March 31, 2017. 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 February 19, 2016 ("Board's Order"), no action was taken against the license of Ms. Gordon to practice professional nursing contingent upon her entry into and compliance with the Health Practitioners' Monitoring Program ("HPMP"). This Order was based on Ms. Gordon's multiple psychiatric hospital admissions for depression.
3. Ms. Gordon violated Virginia Code § 54.1-3007(6) and Term Number 1(a) of the Board's Order, which required her to enter into the Health Practitioners' Monitoring Program ("HPMP") within 45 days of entry of the Board's Order, or by May 10, 2016, in that Ms. Gordon failed to enter into the HPMP.
4. Ms. Gordon did not respond to multiple attempts by a Department of Health Professions Investigator to contact her.
5. As of December 14, 2016, Ms. Gordon has not contacted or entered the HPMP.

### **Recommended Order**

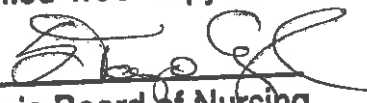
Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Board issue an Order as follows:

1. Marilyn Marcia Gordon, R.N., is REPRIMANDED.
2. The license issued to Marilyn Marcia Gordon, R.N., to practice professional nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
3. The license of Marilyn Marcia Gordon, R.N., will be recorded as SUSPENDED.

4. This suspension applies to any multistate privilege to practice professional nursing.
5. Should Marilyn Marcia Gordon, R.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. Gordon to demonstrate that she is safe and competent to return to the practice of professional nursing. Ms. Gordon 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 6, 2017  
By Allison Gregory, M.S., R.N, F.N.P.-B.C.  
Agency Subordinate

**Certified True Copy**

By   
**Virginia Board of Nursing**