

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: SARAH DELTON HOGGE EVANS, L.P.N.
License Number: 0002-075505
Case Number: 173521

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. Sarah Delton Hogge Evans, 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. Evans failed to appear at the informal conference, this Order shall be considered final. Ms. Evans 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. Evans 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.

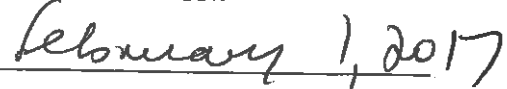
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By 
Virginia Board of Nursing

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:



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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), Jane Elliott, R.N., Ph.D., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on October 27, 2016 in Henrico County, Virginia, to inquire into evidence that Sarah Delton Hogge Evans, L.P.N., may have violated certain laws and regulations governing the practice of practical nursing in the Commonwealth of Virginia.

Ms. Evans 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 September 14, 2016, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Evans notifying her that an informal conference would be held on October 27, 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. 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. Evans and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Sarah Delton Hogge Evans, L.P.N., was issued License Number 0002-075505 to practice practical nursing on March 22, 2007, which expired on October 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. Ms. Evans violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice practical nursing due to substance and alcohol abuse, as evidenced by the following:

a. On April 23, 2016, Ms. Evans presented to Riverside Walter Reed Hospital, Gloucester, Virginia, ("RWRH"), complaining of symptoms of heroin withdrawal. A drug screen performed upon Ms. Evans' admission was positive for cocaine, opiates, THC and benzodiazepines, for which she had no prescription. Ms. Evans was discharged from RWRH against medical advice, on April 24, 2016, with diagnoses of acute opiate withdrawal, polysubstance abuse and a past history of chronic heroin abuse. Ms. Evans admitted to using heroin approximately 12 hours before her admission to RWRH.

b. On May 18, 2011, Ms. Evans was convicted of public swearing/intoxication, a misdemeanor, in the Gloucester, Virginia, General District Court.

3. Ms. Evans violated Virginia Code §54.1-3007(4) in that, on August 14, 2014, in the District Court for Gloucester County, Virginia, she was convicted of petit larceny, a misdemeanor involving moral turpitude.

4. Ms. Evans violated Virginia Code § 54.1-3007(2) and (5) and 18 VAC 90-20-300(A)(2)(e) of the Regulations Governing the Practice of Nursing in that, on her May 22, 2012 application for employment with Virginia Health Services, she failed to disclose her May 2011 misdemeanor conviction for public swearing/intoxication.

5. Ms. Evans is currently charged with three counts of felony sale and distribution of a schedule I/II drug for profit. Her trial date is set for December 13, 2016.

6. In an interview with an investigator with the Department of Health Professions ("DHP"), Ms. Evans reported that she has not been employed as a nurse since 2014. She reported that

her last period of employment was with Maxim Health Care Services, Richmond, Virginia ("Maxim"). Ms. Evans' employment with Maxim was involuntarily terminated on October 1, 2014.

7. In her interview with the DHP investigator, Ms. Evans denied that she has a substance abuse problem.

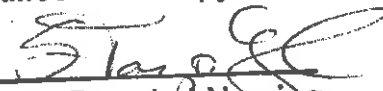
Recommended Order

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

1. Sarah Delton Hogge Evans, L.P.N., is REPRIMANDED.
2. The right of Sarah Delton Hogge Evans, L.P.N., to renew her license to practice practical nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
3. The license of Sarah Delton Hogge Evans, L.P.N., will be recorded as SUSPENDED.
4. This suspension applies to any multistate privilege to practice practical nursing.
5. Should Sarah Delton Hogge Evans, 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 Sarah Delton Hogge Evans, L.P.N., to demonstrate that she is safe and competent to return to the practice of practical nursing. Sarah Delton Hogge Evans, L.P.N., 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 November 7, 2016
By Jane Elliott, R.N., Ph.D.
Agency Subordinate

Certified True Copy

By 
Virginia Board of Nursing