



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

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January 12, 2017

Stephen Alfred Hilbert, R.N.
5 Cassia Lane
Debary, FL 32713

DUPLICATE COPY
VIA FIRST CLASS MAIL
DATE 1/12/17

RE: License Number: 0001-262547
Case Number: ~~177344~~ 175960 (per A.D.)

Dear Mr. Hilbert:

Pursuant to Virginia Code § 54.1-2409, you are hereby given notice that your license to practice professional nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered January 11, 2017. You are hereby advised that you may not practice professional nursing or hold yourself out as a licensed professional nurse unless and until the Board of Nursing has notified you in writing that your license has been reinstated. Please return your license to Jay P. Douglas, Executive Director of the Virginia Board of Nursing ("Board"), at the above address, immediately upon receipt of this letter.

You may apply to the Board for reinstatement of your license, and you shall be entitled to a formal administrative hearing not later than the next regular meeting of the Board after the expiration of 60 days from the Board's receipt of your reinstatement application. The reinstatement of your license shall require the affirmative vote of three-fourths of the members of the Board present at the hearing. The reinstatement application can be found at www.dhp.virginia.gov/Nursing.

If you have any questions about this matter, you can contact me at (804) 367-4474 or anne.joseph@dhp.virginia.gov.

Sincerely,

Anne Joseph, Deputy Director
Administrative Proceedings Division

cc: Jay P. Douglas, Executive Director, Board of Nursing
Enclosures

BEFORE THE VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS

IN RE: STEPHEN ALFRED HILBERT, R.N.
License Number: 0001-262547
Case Number: 175960

ORDER OF MANDATORY SUSPENSION


In accordance with Virginia Code § 54.1-2409, I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that Stephen Alfred Hilbert, R.N., voluntarily relinquished his right to practice professional nursing in the State of Florida in lieu of disciplinary action. A certified copy of the Final Order of the Florida Board of Nursing accepting Mr. Hilbert's voluntary relinquishment of his license is attached hereto as Commonwealth's Exhibit 1.

WHEREUPON, by the authority vested in the Director of the Department of Health Professions pursuant to Virginia Code § 54.1-2409, it is hereby ORDERED that the license of Stephen Alfred Hilbert, R.N., to practice professional nursing in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the license of Stephen Alfred Hilbert, R.N., will be recorded as suspended and no longer current and valid. Should Stephen Alfred Hilbert, R.N., seek reinstatement of his license pursuant to Virginia Code § 54.1-2409, he shall be responsible for any fees that may be required for the reinstatement of the license prior to issuance of the license to resume practice.

This Order shall be applicable to Mr. Hilbert's multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia.

Pursuant to Virginia Code § 2.2-4023 and § 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 or copying on request.




David E. Brown, D.C., Director
Virginia Department of Health Professions

ENTERED:
6/14/17

CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Final Order entered December 21, 2016, regarding Stephen Alfred Hilbert, R.N., is a true copy of the records received from the Florida Board of Nursing.



David E. Brown, D.C.

Date: 1/11/17

STATE OF FLORIDA
BOARD OF NURSING

FILED DATE -
Department of Health

By: Amy R. Conway

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2016-10068

License No.: RN 1879892

STEPHEN ALFRED HILBERT,

Respondent.

FINAL ORDER

THIS CAUSE came before the BOARD OF NURSING (Board) pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on December 1, 2016, in Deerfield Beach, Florida, for the purpose of considering a voluntary relinquishment (attached hereto as Exhibit A). Petitioner has filed an Administrative Complaint seeking disciplinary action against the license. A copy of the Administrative Complaint is attached to and made a part of this Final Order as Exhibit B. Upon consideration of the voluntary relinquishment, the documents submitted in support thereof, the arguments of the parties, and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that the voluntary relinquishment is accepted as a resolution of this case.

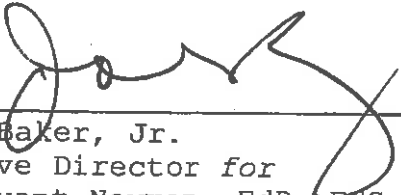
This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

Case No. 2016-10068



DONE AND ORDERED this 21st day of Dec,
2016.

BOARD OF NURSING



Joe R. Baker, Jr.
Executive Director for
Jody Bryant Newman, EdD, EdS
Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the
foregoing Final Order has been provided by U.S. Mail to STEPHEN
ALFRED HILBERT, 5 Cassia Lane, Debary, FL 32713; and by
interoffice delivery to and by email to Dept. of Health - PSU, at
Matthew.Witters@flhealth.gov and by email to Lee Ann Gustafson,
Senior Assistant Attorney General, at
LeeAnn.Gustafson@myfloridalegal.com this 27th day of
December, 2016.



Deputy Agency Clerk

FILED
Department Of Health
Deputy Clerk
CLERK *Angel Sanders*
DATE AUG 24 2016

STATE OF FLORIDA
DEPARTMENT OF HEALTH

2016 AUG 17 AM 10:07

DEPARTMENT OF HEALTH,
Petitioner,

v.

DOH Case No. 2016-10068

STEPHEN ALFRED HILBERT, R.N.,
Respondent.

VOLUNTARY RELINQUISHMENT OF LICENSE

Respondent, Stephen Hilbert, license No. RN 543453, hereby voluntarily relinquishes Respondent's license to practice as a registered nurse in the State of Florida and states as follows:

1. Respondent's purpose in executing this Voluntary Relinquishment is to avoid further administrative action with respect to this cause. Respondent understands that acceptance by the Board of Nursing (hereinafter the Board) of this Voluntary Relinquishment shall be construed as disciplinary action against Respondent's license pursuant to Section 456.072(1)(f), Florida Statutes. As with any disciplinary action, this relinquishment will be reported to the National Practitioner Data Bank as disciplinary action. Licensing authorities in other states may impose discipline in their jurisdiction based on discipline taken in Florida.
2. Respondent agrees to never reapply for licensure as a nurse in the State of Florida.
3. Respondent agrees to voluntarily cease practicing nursing immediately upon executing this Voluntary Relinquishment. Respondent further agrees to refrain from the

practice of nursing until such time as this Voluntary Relinquishment is presented to the Board and the Board issues a written final order in this matter.

4. In Order to expedite consideration and resolution of this action by the Board in a public meeting, Respondent, being fully advised of the consequences of so doing, hereby waives the statutory privilege of confidentiality of Section 456.073(10), Florida Statutes, regarding the complaint, the investigative report of the Department of Health, and all other information obtained pursuant to the Department's investigation in the above-styled action. By signing this waiver, Respondent understands that the record and complaint become public record and remain public record and that information is immediately accessible by the public. Respondent understands that this waiver of confidentiality is a permanent, non-revocable waiver.

5. In order to expedite consideration and resolution of this action by the Board in a public meeting, Respondent, being fully advised of the consequences of so doing hereby waives a determination of probable cause, by the Probable Cause Panel, or the Department when appropriate, pursuant to Section 456.073(4), Florida Statutes.

6. Upon the Board's acceptance of this Voluntary Relinquishment, Respondent agrees to waive all rights to seek judicial review of, or to otherwise challenge or contest the validity of, this Voluntary Relinquishment and of the Final Order of the Board Incorporating this Voluntary Relinquishment.

7. Petitioner and Respondent hereby agree that upon the Board's acceptance of this Voluntary Relinquishment, each party shall bear its own attorney's fees and costs related to the prosecution or defense of this matter.

8. Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent in connection with the Board's consideration of this Voluntary Relinquishment. Respondent agrees that consideration of this Voluntary Relinquishment and other related materials by the Board shall not prejudice or preclude the Board, or any of its members, from further participation, consideration, or resolution of these proceedings if the terms of this Voluntary Relinquishment are not accepted by the Board.

DATED this 15TH day of AUGUST, 2016.

Stephen Hilbert
Stephen Hilbert

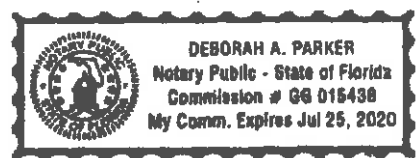
STATE OF Florida
COUNTY OF Volusia

Before me, personally appeared Stephen Hilbert, whose identity is known to me or who produced FL Drivers License (type of identification) and who, under oath, acknowledges that his signature appears above.

Sworn to and subscribed before me this 15th day of August, 2016.

Deborah Parker
NOTARY PUBLIC

My Commission Expires:



**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2016-10068

STEPHEN ALFRED HILBERT, R.N.,

RESPONDENT.

_____ /

ADMINISTRATIVE COMPLAINT

COMES NOW, Petitioner, Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Nursing against Respondent, Stephen Alfred Hilbert, R.N., and in support thereof alleges:

1. Petitioner is the state agency charged with regulating the practice of nursing pursuant to Section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 464, Florida Statutes.

2. At all times material to this Administrative Complaint, Respondent was a licensed registered nurse (R.N.) within the state of Florida, having been issued license number RN 543453.

3. Respondent's address of record is 5 Cassia Lane, Debary, Florida 32713.

4. In or about February 2016, Respondent applied for a job as a registered nurse (RN) with Auresus Nursing, L.L.C., (Aureus), an employment staffing agency for health care professionals.

5. In or about February 2016, Auresus recommended Respondent for a position at Cambridge Hospital, in Cambridge, Massachusetts.

6. On or about February 13, 2016, Auresus requested Respondent to submit qualifying documents for the position at Cambridge Hospital such as his nursing license, curriculum vitae, and ACLS card.

7. On February 16, 2016, Respondent submitted an ACLS card purporting he was ACLS certified by the Apopka Fire Department until 2017.

8. On February 16, 2016, Auresus contacted the Apopka Fire Department about Respondent's ACLS certification.

9. On February 16, 2016, the Apopka Fire Department informed Auresus that Respondent did not attend an American Heart Association Course with the Apopka Fire Department for ACLS certification.

10. On February 16, 2016, the Apopka Fire Department further informed Auresus the ACLS card submitted by Respondent was invalid.

11. On March 14, 2016, Respondent told the Department's investigator he deliberately forged the ACLS card he submitted to Auresus to meet the requirement of the position at Cambridge Hospital.

COUNT ONE

12. Petitioner realleges and incorporates paragraphs one (1) through eleven (11) as if fully set forth herein.

13. Section 464.018(1)(f), Florida Statutes (2015), provides that making or filing a false report or record, which the licensee knows to be false, intentionally or negligently failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing or inducing another person to do so. Such reports or records shall include only those which are signed in the nurse's capacity as a licensed nurse.

14. Respondent made and/or filed false reports in one or more of the following ways:

a) by forging the ACLS card purportedly from the Apopka Fire Department to reflect he was allegedly ACLS certified by the Apopka Fire Department until 2017; and/or

b) by submitting the forged ALCS card purportedly from the Apopka Fire Department to Auresus for in support of his job application.

15. Based on the foregoing, Respondent violated Section 464.018(1)(f), Florida Statutes (2015), by making or filing a false report or record, which the licensee knows to be false, intentionally or negligently failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing or inducing another person to do so. Such reports or records shall include only those which are signed in the nurse's capacity as a licensed nurse.

COUNT TWO

16. Petitioner realleges and incorporates paragraphs one (1) through eleven (11) as if fully set forth herein.

17. Section 464.018(1), Florida Statutes (2015), provides that unprofessional conduct, as defined by board rule, constitutes grounds for discipline.

18. Rule 64B9-8.005(6), Florida Statutes (2015), provides that unprofessional conduct includes falsifying or altering of patient records, or nursing progress records, or employment applications, or time records.

19. Respondent falsified and/or altered his employment application to Auresus in one or more of the following ways:

- a) by forging the ACLS card purportedly from the Apopka Fire Department allegedly reflecting he was allegedly ACLS certified by the Apopka Fire Department until 2017 and/or
- b) by submitted the forged ACLS card purportedly from the Apopka Fire Department to Auresus in support of his job application.

20. Based on the foregoing, Respondent violated Section 464.018(1)(h), Florida Statutes (2015), unprofessional conduct, as defined by Rule 64B9-8.005(6), Florida Administrative Code, to include falsifying or altering of patient records or nursing progress records, employment applications or time records.

WHEREFORE, the Petitioner respectfully requests that the Board of Nursing enter an order imposing one or more of the following penalties: permanent revocation or suspension of Respondent's license, restriction of practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, corrective action, refund of

fees billed or collected, remedial education and/or any other relief that the Board deems appropriate.

SIGNED this 26th day of July, 2016.

Celeste Philip, MD, MPH
Interim State Surgeon General

Mary S. Miller

Mary S. Miller
Assistant General Counsel
DOH Prosecution Services Unit
4052 Bald Cypress Way, Bin C-65
Tallahassee, Florida 32399-3265
Florida Bar Number 0780420
Telephone (850) 245 – 4444, ext. 8104
Facsimile (850) 245 – 4662
E-Mail: mary.miller2@flhealth.gov

FILED

DEPARTMENT OF HEALTH
DEPUTY CLERK

CLERK: Synda Leonard

DATE July 26, 2016

/MSM

PCP: July 26, 2016

PCP Members: Forne + Desmond

NOTICE OF RIGHTS

Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested.

A request or petition for an administrative hearing must be in writing and must be received by the Department within 21 days from the day Respondent received the Administrative Complaint, pursuant to Rule 28-106.111(2), Florida Administrative Code. If Respondent fails to request a hearing within 21 days of receipt of this Administrative Complaint, Respondent waives the right to request a hearing on the facts alleged in this Administrative Complaint pursuant to Rule 28-106.111(4), Florida Administrative Code. Any request for an administrative proceeding to challenge or contest the material facts or charges contained in the Administrative Complaint must conform to Rule 28-106.2015(5), Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

NOTICE REGARDING ASSESSMENT OF COSTS

Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to Section 456.072(4), Florida Statutes, the Board shall assess costs related to the investigation and prosecution of a disciplinary matter, which may include attorney hours and costs, on the Respondent in addition to any other discipline imposed.