

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE: BROOKE ARBOGAST, L.P.N.**  
**License Number: 0002-091164**  
**Issue Date: July 28, 2014**  
**Expiration Date: June 30, 2018**  
**Case Number: 171692**

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**NOTICE OF INFORMAL CONFERENCE  
AND STATEMENT OF ALLEGATIONS**

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**You are hereby notified that an Informal Conference has been scheduled before the Board of Nursing ("Board") regarding your license to practice practical nursing in the Commonwealth of Virginia.**

<b>TYPE OF PROCEEDING:</b>	This is an informal conference before a Special Conference Committee of the Board of Nursing.
<b>DATE AND TIME:</b>	<b>October 11, 2016 9:00 A.M.</b>
<b>PLACE:</b>	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 <sup>nd</sup> Floor - Virginia Conference Center Henrico, Virginia 23233

**LEGAL AUTHORITY AND JURISDICTION:**

1. This informal conference is being held pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. At the conclusion of the proceeding, the Committee is authorized to take any of the following actions:

- Exonerate you;
- Reprimand you;
- Require you to pay a monetary penalty;
- Place you on probation and/or under terms and conditions;
- Refer the matter to the Board of Nursing for a formal administrative hearing;
- Offer you a consent order for suspension or revocation of your license in lieu of a formal hearing.

**ABSENCE OF RESPONDENT AND RESPONDENT’S COUNSEL:**

If you fail to appear at the informal conference, the Committee may proceed to hear this matter in your absence and may take any of the actions outlined above.

**RESPONDENT’S LEGAL RIGHTS:**

You have the right to the information on which the Committee will rely in making its decision, to be represented by counsel at this proceeding, to subpoena witnesses and/or documents, and to present relevant evidence on your behalf.

**COMMONWEALTH’S EXHIBIT:**

Enclosed is a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

**FILING DEADLINES:**

1. Deadline for filing exhibits: **October 3, 2016**. Submit 5 copies of all documents you want the Board to consider to Melvina Baylor, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.
2. Deadline for filing motions, including motions for continuance or objections to exhibits, in writing, to Melvina Baylor at the above address: **October 3, 2016**. NOTE: Failure to object to the distribution prior to the proceeding will not affect your right to contest any information contained in these documents at the proceeding.

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**STATEMENT OF ALLEGATIONS**

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The Board of Nursing alleges that:

1. At all times relevant hereto, Brooke Arbogast, L.P.N. was licensed to practice practical nursing in the Commonwealth of Virginia.


2. Brooke Arbogast, L.P.N. violated Virginia Code § 54.1-3007(2), (5), (6) and (8) and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing (“Regulations”) in that during the course of her employment with Greenfield Senior Living of Spotsylvania, Fredericksburg, Virginia, Ms. Arbogast forged several prescriptions for methylphenidate HCL (C-II) and alprazolam (C-IV), using the DEA number of the nurse practitioner working in the facility, for her own personal and unauthorized use, as evidence by the following:

a. Between on or about November 2, 2015, and January 18, 2016, Ms. Arbogast forged six prescriptions for methylphenidate HCL in the name of Resident A, and altered the resident’s medical records to support the need for the medication.

b. On or about October 26, 2015, Ms. Arbogast fraudulently documented in Resident B’s medical record that the staff nurse practitioner gave a verbal order to start alprazolam for anxiety for Resident B, and then faxed an order for the medication to the pharmacy.

c. Between on or about November 12, 2015, and January 9, 2016, Ms. Arbogast forged four prescriptions for alprazolam in the name of Resident C.

See Confidential Attachment I for the names of the residents referenced above.

  
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Gloria Mitchell-Lively, R.N., M.S.N., M.B.A.  
Deputy Executive Director  
Virginia Board of Nursing

  
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Date