

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE: VIRGINIA LEE BREEDEN, R.N. REINSTATEMENT APPLICANT**  
**A.K.A. Virginia Lee Porch**  
**A.K.A. Virginia Lee Alexander**  
**A.K.A. Virginia Lee Sawyer**  
**A.K.A. Virginia Lee Atkeison**  
**License Number: 0001-180170**  
**Case Number: 174446**

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**ORDER**

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**JURISDICTION AND PROCEDURAL HISTORY**

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on September 22, 2016, in Henrico County, Virginia, to receive and act upon Virginia Lee Breeden’s application for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia.

Virginia Lee Breeden, R.N., appeared at this proceeding and was represented by Eileen Talamante, Esquire and Michael Goodman, Esquire.

**NOTICE**

By letter dated August 25, 2016, the Board sent a Notice of Formal Hearing (“Notice”) to Ms. Breeden notifying her that a formal administrative hearing would be held on September 22, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

## FINDINGS OF FACT

1. On June 27, 2002, the Board issued License Number 0001-180170 to Virginia Lee Breeden, R.N. to practice professional nursing in the Commonwealth of Virginia. Her primary state of residence is Virginia.
2. On December 22, 2003, in the Circuit Court for Hanover County, Virginia, Ms. Breeden was convicted of grand larceny, a felony. Pursuant to Virginia Code § 54.1-2409, this conviction formed the basis for the mandatory suspension of her certificate by Order of the Department of Health Professions entered November 16, 2004.
3. Virginia Lee Breeden, R.N. was convicted of the following additional felonies and misdemeanors involving moral turpitude:
  - a. On July 20, 2004, in the Circuit Court for Hanover County, Virginia, Ms. Breeden was convicted of petit larceny, a misdemeanor involving moral turpitude.
  - b. On April 20, 2005, in the Circuit Court for Hanover County, Virginia, Ms. Breeden was found in violation of probation, a felony.
  - c. On January 3, 2008, in the General District Court for Henrico County, Virginia, Ms. Breeden was convicted of petit larceny, a misdemeanor involving moral turpitude.
  - d. On September 3, 2009, in the General District Court for Essex County, Virginia, Ms. Breeden was convicted of shoplifting, a misdemeanor involving moral turpitude.
  - e. On June 30, 2011, in the Circuit Court for Henrico County, Virginia, Ms. Breeden was convicted of shoplifting, third offense, a felony.
4. Ms. Breeden has received a mental health diagnosis.
5. Ms. Breeden submitted an application for reinstatement of her license to the Board on June 22, 2016.
6. Ms. Breeden stipulated to the facts contained in Finding of Fact Number 3.

7. Ms. Breeden’s treating therapist testified regarding Ms. Breeden, including praising her progress and self-discipline. Ms. Breeden’s former psychiatrist also testified to her improvement and prognosis. Ms. Breeden testified that she has a strong support system and intends to continue her treatment.

8. Ms. Breeden submitted multiple letters of support on behalf of her application, and both a coworker and her supervisor testified to Ms. Breeden’s effectiveness and calming influence in her current job position at the Middle Peninsula, Northern Neck Community Services Board (“CSB”).

9. Ms. Breeden told the Board that she is happy working at the CSB. She now feels ready to return to nursing as a psychiatric nurse, and she has a professional nursing job waiting for her at the CSB. She further stated that she is confident that she has insight into her diagnoses and past and is willing to seek assistance as necessary.

10. Ms. Breeden stated that she intends to take a refresher course prior to resuming practice as a professional nurse, as she has been out of practice for several years and recognizes that much has changed in the practice of nursing since she last practiced.

### CONCLUSIONS OF LAW

1. Findings of Fact 2 and 3(a) through (e) constitute a violation of Virginia Code §54.1-3007(4).
2. Finding of Fact 4 constitutes a violation of Virginia Code §54.1-3007(6).
3. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Breeden’s health records or health services.

### **ORDER**


Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. By affirmative vote of at least three-fourths of the members of the Board at the proceeding, effective upon entry of this Order, the license issued to Virginia Lee Breeden to practice professional nursing in the Commonwealth of Virginia is REINSTATED contingent upon evidence of completion of a nursing refresher course.

2. Virginia Lee Breeden, R.N., shall comply with all laws and regulations governing the practice of 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 and copying upon request.

FOR THE BOARD


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

ENTERED AND MAILED ON:

October 12<sup>th</sup>, 2016

**NOTICE OF RIGHT TO APPEAL**

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in 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, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy  
By   
Virginia Board Of Nursing