

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: MISTY DANIELLE JACKSON, R.N.
License Number: 0001-244069
Case Number: 169467

ORDER

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 21, 2016, in Henrico County, Virginia, to inquire into evidence that Misty Danielle Jackson, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Misty Danielle Jackson, R.N., did not appear at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated August 19, 2016, the Board sent a Notice of Formal Hearing (“Notice”) to Ms. Jackson notifying her that a formal administrative hearing would be held on September 21, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. According to the U.S.P.S. tracking website, the Notice sent by certified mail was unclaimed when the maximum hold time expired and was sent back to the Board office. The Notice sent by first class mail was not returned to the Board office. Accordingly, the panel Chair concluded that adequate notice was provided to Ms. Jackson and the formal hearing proceeded in her absence.

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 April 26, 2013, the Board issued License Number 0001-244069 to Misty Danielle Jackson, R.N. to practice professional nursing in the Commonwealth of Virginia. Said license expired on August 31, 2015. At all times relevant hereto, said license was in full force and effect. Her primary state of residence is Alabama.
2. Between August 7 and August 9, 2015, Ms. Jackson was hospitalized at VCU Health System, Richmond, Virginia, for displaying seizure activity at work. During her hospitalization, Ms. Jackson was observed by multiple staff acting aggressively towards staff, yelling at staff, threatening one nurse, tampering with her IV port and medications, self-medicating with medications in her purse, demanding specific medications including IV-only medications and narcotics, refusing oral medications, ripping electrodes off herself so that staff could not monitor her seizure activity, and initially refusing to leave upon discharge.
3. At the time of these incidents, Ms. Jackson was employed as a contract nurse at VCU Health System through Trinity Healthcare Staffing Group, Florence, South Carolina. As a result of these incidents, Ms. Jackson's contract with VCU Health System was terminated effective August 10, 2015. Her employment with Trinity Healthcare Staffing Group was terminated effective August 31, 2015 due to multiple absences ending in contract cancellation by clients.
4. Ms. Jackson failed to respond to contact attempts by the investigator for the Department of Health Professions.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of Virginia Code § 54.1-3007(6).
2. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Jackson's health records or health services.

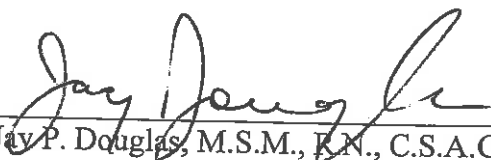
ORDER

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

1. The right of Misty Danielle Jackson, R.N., to renew her license to practice professional nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
2. The license of Ms. Jackson will be recorded as SUSPENDED.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. Should Ms. Jackson seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Jackson to demonstrate that she is safe and competent to return to the practice of professional nursing. Ms. Jackson 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.

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



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 7TH, 2016

Certified True Copy
By draham
Virginia Board Of Nursing

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.