

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: MISTY DANIELLE JACKSON, R.N.
License Number: 0001-244069
Issue Date: April 26, 2013
Expiration Date: August 31, 2015
Case Number: 169467

**NOTICE OF FORMAL ADMINISTRATIVE HEARING
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that a Formal Hearing has been scheduled before the Board of Nursing ("Board") regarding your license to practice professional nursing in the Commonwealth of Virginia.

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| TYPE OF PROCEEDING: | This is a formal administrative hearing before a panel of the Board of Nursing. |
| DATE AND TIME: | September 21, 2016 1:00 P.M. |
| PLACE: | Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd Floor - Virginia Conference Center Henrico, Virginia 23233 |

LEGAL AUTHORITY AND JURISDICTION:

1. This formal hearing is being held pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. At the conclusion of the proceeding, the Board 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;
- Suspend your license;
- Revoke your license.

ABSENCE OF RESPONDENT AND RESPONDENT'S COUNSEL:

If you fail to appear at the formal hearing, the Board 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 Board 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 Board and will be considered by the Board 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 formal hearing.**

FILING DEADLINES:

1. Deadline for filing exhibits: **September 2, 2016**. Submit 15 copies of all documents you want the Board to consider to Darlene Graham, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail. Please note that any documentation or evidence that you previously submitted for an informal conference must be resubmitted for consideration by the Board at the formal hearing.

2. Deadline for filing motions, including motions for continuance or objections to exhibits, in writing, to Darlene Graham at the above address: **September 2, 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.

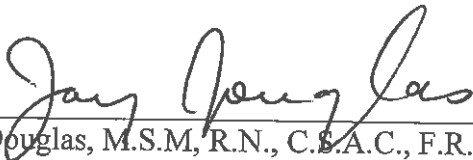
STATEMENT OF ALLEGATIONS

The Board of Nursing alleges that:

1. At all times relevant hereto, Misty Danielle Jackson, R.N. was licensed to practice professional nursing in the Commonwealth of Virginia.

2. Misty Danielle Jackson, R.N. violated Virginia Code § 54.1-3007(6) in that Ms. Jackson is unsafe to practice due to mental illness, physical illness, and/or substance abuse or chemical dependency, in that 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 for seizure activity, and initially refusing to leave upon discharge.

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.



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

August 19th, 2016
Date