

AUG 22 2016

DHP

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: ANDREA LYNETTE STARKS FRANKLIN, L.P.N. APPLICANT
Case Number: 175041

0002-095064

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Nursing ("Board") and Andrea Lynette Starks Franklin as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Ms. Franklin's application for licensure by examination to practice as a practical nurse in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Andrea Lynette Starks Franklin submitted an application for licensure by examination to practice practical nursing in the Commonwealth of Virginia on May 19, 2016.
2. Andrea Lynette Starks Franklin was issued Certificate Number 1401-120787 to practice as a nurse aide on September 17, 2007, which expired on September 30, 2009.
3. Ms. Franklin violated Virginia Code § 54.1-3007(4) in that On January 22, 2008, Ms. Franklin was convicted in the United States District Court for the Southern District of Georgia, of one count of conspiracy to possess with intent to distribute, and to distribute 50 grams or more of cocaine base and 5 kilograms or more of cocaine hydrochloride, a felony. Ms. Franklin was sentenced to 97 months incarceration. Ms. Franklin was released on November 16, 2011, with five years of supervised probation. Ms. Franklin is required to participate in a program for drug and alcohol testing and must pay \$4,600.00 in fines and costs. She is currently making payments.
4. Ms. Franklin otherwise meets the requirements of Virginia Code §54.1-3020.

CONSENT

Andrea Lynette Starks Franklin by affixing her signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; the right to representation by counsel; and the right to cross-examine witnesses against me;
4. I waive all right to an informal conference;
5. I admit to the Findings of Fact and Conclusion of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my application for licensure to practice practical nursing in the Commonwealth of Virginia.

ORDER

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

1. The application of Andrea Lynette Starks Franklin for licensure to practice as a practical nurse in the Commonwealth of Virginia is APPROVED. Upon successful completion of the NCLEX-PN examination, Ms. Williams shall be issued an unrestricted license to practice as a practical nurse.
2. Ms. Franklin is REPRIMANDED.

3. Ms. Franklin shall comply with all laws and regulations governing the practice of practical 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

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

ENTERED: August 26th, 2016

SEEN AND AGREED TO:

Andrea Lynette Starks Franklin
Andrea Lynette Starks Franklin L.P.N.

Certified True Copy
By [Signature]
Virginia Board of Nursing

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Chesapeake TO WIT:

Subscribed and sworn to me, a notary public in and for the Commonwealth of Virginia at large, on this 12th day of August, 2016.

[Signature]
Notary Public

My commission expires: 3-31-2019

Registration No.: 7510419