

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: JASON MOORE, L.P.N.

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on October 16, 2007, in Henrico County, Virginia. Mr. Moore was not present nor was he represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 30, 2008, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Mr. Moore was not present nor was he represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Jason Moore was issued License No. 0002-048585 to practice practical nursing in Virginia on November 29, 1999. The license is current.
2. By letter dated September 7, 2007, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Mr. Moore notifying him that an informal conference would be held on October 16, 2007. The Notice was sent by certified and first class mail to 1207 Gail Court, Newport News, Virginia 23605, the address of record on file with the Board of Nursing. According to the United States Postal Service, the certified mail was delivered on September 8, 2007. The Notice sent by regular mail was not returned to the Board office. The Agency Subordinate concluded that Mr. Moore received adequate notice and the informal conference proceeded in his absence.
3. By Consent Order entered March 11, 2003, the Board released Mr. Moore from previously ordered probation and required him to comply with his Recovery Monitoring Contract with the Health

Practitioners' Intervention Program ("HPIP").

4. Mr. Moore had entered into participation with the HPIP in August 2000. According to Jennifer Sears-Cockram, HPIP Case Manager, contracts were extended because of Mr. Moore's relapses into substance abuse and failure to follow HPIP's recommendations.

5. Ms. Sears-Cockram also stated that Mr. Moore falsified self-reports to HPIP by claiming that he was employed in construction when, in fact, he had been employed as a nurse without HPIP's permission since 2003.

6. Mr. Moore was dismissed from the HPIP on April 20, 2007, due to his failure to attend therapy sessions since November 2006; his failure to submit to a urine drug screen in February 2007; his failure to call the test line and subsequent missed screen in March 2007; and his failure to respond to telephone messages and correspondence from his HPIP case manager regarding his noncompliance.

#### CONCLUSIONS OF LAW

Finding of Fact #6 constitutes a violation of the Order of the Board entered March 11, 2003.

#### ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. License No. 0002-048585 of Jason Moore is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Mr. Moore shall petition the Board for reinstatement of his license, an administrative proceeding will be convened to determine whether he is capable of resuming the safe and competent practice of practical nursing. Mr. Moore shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.
4. This suspension applies to any multistate privilege to practice practical nursing.

Since Mr. Moore failed to appear at the informal conference, this Order shall be considered final. Mr. Moore has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Mr. Moore has thirty (30) days from the date of service (the date he

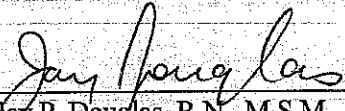
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actually received this decision or the date it was mailed to him, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

Pursuant to § 54.1-2400.2 of the Code, 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, R.N., M.S.M., C.S.A.C.  
Executive Director  
Board of Nursing

Entered: February 14<sup>TH</sup>, 2008

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed this day to Jason Moore, at 1207 Gail Court, Newport News, Virginia 23605.

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

February 14<sup>TH</sup>, 2008  
DATE