

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: DAMON FRATARCANGELO (f/k/a DAMON DUNN),
L.P.N. REINSTATEMENT APPLICANT,
R.N. APPLICANT
LICENSE NO.: 0002-075188**

NOTICE OF HEARING

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Damon Fratarcangelo, who, prior to its mandatory suspension by the Department of Health Professions on March 16, 2010, held License No. 0002-075188 to practice practical nursing in Virginia, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on November 16, 2011, at 10:00 a.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Mr. Fratarcangelo will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Mr. Fratarcangelo has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on his behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Mr. Fratarcangelo desires any witnesses to appear on his behalf, he must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to receive and act upon Damon Fratarcangelo’s application for reinstatement of his license to practice practical nursing in Virginia, to receive and act upon Mr. Fratarcangelo’s application for licensure by examination as a professional nurse in the Commonwealth of

Virginia, and to inquire into evidence that Mr. Fratarcangelo may have violated certain laws governing nursing practice in Virginia, as more fully set forth in the Statement of Particulars below.

The burden rests upon Mr. Fratarcangelo, as the applicant for reinstatement of his practical nursing license, to demonstrate that he is capable of resuming the safe and competent practice of practical nursing in Virginia.

Pursuant to § 54.1-2409(D) of the Code, reinstatement of Mr. Fratarcangelo's practical nursing license requires the affirmative vote of three-fourths of the members of the Board in attendance at the hearing.

The burden rests upon Mr. Fratarcangelo, as the applicant for licensure as a professional nurse, to demonstrate that he meets the requirements of § 54.1-3017 of the Code.

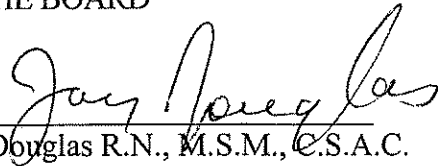
STATEMENT OF PARTICULARS

The Board alleges that:

1. Damon Fratarcangelo may have violated § 54.1-3007(4) of the Code in that he has been convicted of the following criminal offenses:
 - a. On or about January 13, 2010, in the Circuit Court for the City of Newport News, Virginia, he pled guilty to and was convicted of three felony counts of Obtaining Drugs by Fraud, Deceit, or Forgery. These convictions formed the basis for the mandatory suspension of his practical nursing license by the Department of Health Professions on March 16, 2010.
 - b. On or about June 15, 2010, in the Circuit Court for the City of Newport News, Virginia, he pled guilty to and was convicted of one felony count of Credit Card Forgery and one felony count of Credit Card Larceny.
2. Mr. Fratarcangelo may be in violation of § 54.1-3007(6) of the Code in that he may be unable to safely practice practical nursing and/or professional nursing due to substance abuse, as he acknowledged in signing a Participation Contract with the Health Practitioners' Monitoring Program on August 10, 2011,

an application for reinstatement of his practical nursing license, dated July 20, 2011, and an application for licensure by repeat examination for registered nurse dated August 28, 2009.

FOR THE BOARD



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

ENTERED: October 19th, 2011