

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: Wayne Leo Cooke, L.P.N.
License Number: 0002-077171
Case Number: 170747

RATIFICATION AND ORDER

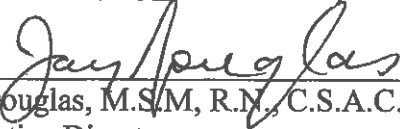
On July 20, 2016, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Wayne Leo Cooke, L.P.N. was not present nor was he represented by legal counsel.

In consideration whereof, the Board of Nursing **ACCEPTS** the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and **ADOPTS** the Recommended Order in its entirety.

Pursuant to Virginia Code § 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.

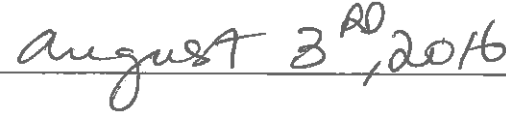
Since Mr. Cooke failed to appear at the informal conference, this Order shall be considered final. Mr. Cooke has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Mr. Cooke has thirty days from the date of service (the date he 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 Douglas, M.S.M, R.N., C.S.A.C., F.R.E., 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 days are added to that period.

FOR THE BOARD

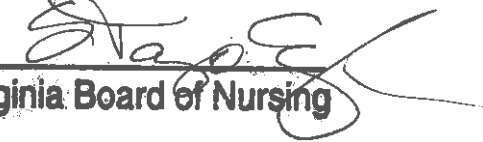


Jay Douglas, M.S.M, R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

ENTERED AND MAILED ON:



Certified True Copy

By 
Virginia Board of Nursing

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: Wayne Leo Cooke, L.P.N.
License Number: 0002-077171
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REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Allison Gregory, M.S., F.N.P.-B.C., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on May 26, 2016 in Henrico County, Virginia, to inquire into evidence that Wayne Leo Cooke, L.P.N. may have violated certain laws and regulations governing the practice of practical nursing in the Commonwealth of Virginia.

Mr. Cooke did not appear at this proceeding and was not represented by legal counsel.

Upon consideration of the evidence, the Agency Subordinate makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

Notice

By letter dated May 3, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Mr. Cooke notifying him that an informal conference would be held on May 26, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing. According to the United States postal Service website, the Notice sent by certified mail to the address of record was forwarded on May 9, 2016, to an address in Mount Joy, Pennsylvania, and was awaiting pick-up. As of May 26, 2016, the Notice sent by first class mail was not returned to the Board office. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Mr. Cooke and the informal conference proceeded in his absence.

Recommended Findings of Fact and Conclusions of Law

1. Wayne Leo Cooke, L.P.N. was issued License Number 0002-077171 to practice practical nursing on November 20, 2007, which expired on November 30, 2015. At all times relevant to the allegations herein, said license was in full force and effect. His primary state of residence is Virginia.
2. By Board's Order entered June 24, 2015, Mr. Cooke was reprimanded and placed on indefinite probation for a period of not less than two years of actual nursing practice and was subject to certain terms and conditions. This action was based on Mr. Cooke's poor nursing practice.
3. Mr. Cooke violated Term Number 1(b) of the Board's Order, which required him to complete four NCSBN courses within 90 days of entry of the Board's Order, in that he failed to complete the courses.
4. Mr. Cooke violated Term 1(c) of the Board's Order, which required him to return all copies of his license along with payment of a duplicate fee to the Board office within ten days of entry of the Board's Order, in that he failed to return copies of his license to the Board office.
5. Mr. Cooke violated Term Numbers 1(d) and (h) of the Board's Order, which required him to submit quarterly self-reports to the Board office whether he is employed or not, in that he failed to submit any reports.

Recommended Order

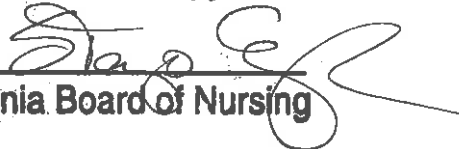
Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Board issue an Order as follows:

1. Wayne Leo Cooke is REPRIMANDED.
2. The right of Wayne Leo Cooke to renew his license to practice practical nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.

3. The license of Wayne Leo Cooke will be recorded as SUSPENDED.
4. This suspension applies to any multistate privilege to practice practical nursing.
5. Should Wayne Leo Cooke seek reinstatement of his license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Wayne Leo Cooke to demonstrate that he is safe and competent to return to the practice of practical nursing. Wayne Leo Cooke 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.

Reviewed and approved on July 1, 2016
By Allison Gregory, M.S., R.N., F.N.P.-B.C.
Agency Subordinate

Certified True Copy

By 
Virginia Board of Nursing