

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: **Sheila Yvonne Breeding Gibson, L.P.N.**
License Number: 0002-109602
Case Number: 172326

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. Sheila Yvonne Breeding Gibson, L.P.N. was not present nor was she 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.

FOR THE BOARD

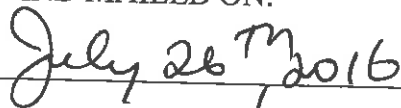


Jay Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

Certified True Copy

By 
Virginia Board Of Nursing

ENTERED AND MAILED ON:



Since Ms. Gibson failed to appear at the informal conference, this Order shall be considered final. Ms. Gibson 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, Ms. Gibson has thirty days from the date

of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. 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.

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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), Nancy Durrett, R.N., M.S., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on May 10, 2016 in Henrico County, Virginia, to inquire into evidence that Sheila Yvonne Breeding Gibson, L.P.N. may have violated terms and conditions imposed on her license to practical nursing in the Commonwealth of Virginia.

Ms. Gibson 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 April 20, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Gibson notifying her that an informal conference would be held on May 10, 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, the Notice sent by certified mail arrived in Dungannon, Virginia, on April 23, 2016, and was forwarded to Las Vegas, Nevada. As of May 10, 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 Ms. Gibson and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Sheila Yvonne Breeding Gibson, L.P.N. was issued License Number 0002-109602 to practice practical nursing on April 29, 1999, which expired on March 31, 2015. Her primary state of residence is Virginia.

2. By Order of the Board entered October 15, 2004, Ms. Gibson was placed on probation, subject to terms and conditions due to findings of poor nursing practice. On March 31, 2007, Ms. Gibson's license to practice practical nursing expired. Order entered August 9, 2007, her right to renew her license was indefinitely suspended. This action was the result of Ms. Gibson's failure to comply with the terms and conditions of her Board Order entered October 15, 2007. By Board's Order entered September 21, 2012, Ms. Gibson's license to practice practical nursing was reinstated and she was placed on probation subject to terms and conditions.

3. Sheila Yvonne Breeding Gibson, L.P.N., violated Term Number 2(f) of the Board's Order entered September 21, 2012, which required her to submit quarterly reports to the Board by the last day of the months of March, June, September and December. Ms. Gibson failed to submit reports due June 30, 2015, September 30, 2015, and December 31, 2015.

4. Ms. Gibson failed to respond to multiple attempts for an interview by the Board's Compliance Case Manager.

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. Sheila Yvonne Breeding Gibson is REPRIMANDED.
2. The right of Sheila Yvonne Breeding Gibson to renew her license to practice practical nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.

3. The license of Sheila Yvonne Breeding Gibson will be recorded as SUSPENDED.
4. This suspension applies to any multistate privilege to practice practical nursing.
5. Should Sheila Yvonne Breeding Gibson seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Sheila Yvonne Breeding Gibson to demonstrate that she is safe and competent to return to the practice of practical nursing. Sheila Yvonne Breeding Gibson 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 May 17, 2016
By Nancy Durrett, R.N., M.S.
Agency Subordinate