

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: CINDY BOCANEGRA, R.N.  
License No.: 0001-102813**

**ORDER**

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on April 24, 2015, in Henrico County, Virginia, to inquire into evidence that Cindy Bocanegra, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia. Ms. Bocanegra was present and was not represented by counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. Cindy Bocanegra, R.N., was issued License No. 0001-102813 to practice professional nursing in the Commonwealth of Virginia on August 15, 1986. Said license expires on February 29, 2016. Ms. Bocanegra’s primary state of residence is Virginia.
2. By letter dated March 17, 2015, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Bocanegra notifying her that an informal conference would be held on April 14, 2015. The Notice was sent by certified and first class mail to 6051 Chagall Drive, Roanoke, Virginia, 24018, the address of record on file with the Board of Nursing.
3. Ms. Bocanegra has a history of depression, anxiety, panic attacks, and post-traumatic stress disorder, and a suicide attempt in November 2014.
4. On November 18, 2014, Ms. Bocanegra attempted suicide by consuming more than 100 Valium tablets. The following morning, Ms. Bocanegra reported to work at Carilion Roanoke Memorial

Hospital for a training session that did not involve patient care. Ms. Bocanegra recognized that her health may have been in jeopardy from the overdose and contacted her physician, who recommended she seek emergency medical treatment. She then was hospitalized pursuant to a temporary detention order.

5. Ms. Bocanegra is currently seeing a psychiatric nurse practitioner for treatment of her mental health issues. She is currently taking Levsin, Neurontin, Visteril, Inderal, and Prozac.

6. After a five-week leave of absence, Ms. Bocanegra returned to work at Carilion in January 2015, where she remains employed. She presented four positive reference letters from other Carilion employees with whom she works. She works in the pre-operative unit, where she stated she had no access to pain medication. Ms. Bocanegra's husband spoke on her behalf and described her as a caring and loving person.

7. Ms. Bocanegra stated that her nursing work is important to her and that she wishes to serve as a positive role model for her daughter, who is currently enrolled in nursing school.

#### **CONCLUSIONS OF LAW**

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(6) of the Code.
2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(5) of the Code.

#### **ORDER**

On the basis of the foregoing, the Committee hereby ORDERS that Cindy Bocanegra, R.N., be placed on PROBATION for a period of one year of actual nursing practice and subject to the following terms and conditions:

1. The period of probation shall begin on the date that this Order is entered and shall end at such time as Ms. Bocanegra has completed one year of active practice as a professional nurse. The license of Ms. Bocanegra shall be reinstated without restriction at the completion of the probationary period without an administrative proceeding unless there is a pending investigation or unresolved allegation involving a

violation of law, regulation, or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 2.2-4000 et seq. and § 54.1-2400(9) of the Code.

2. Ms. Bocanegra shall be required to have one supervised unannounced random drug screen a quarter from a Board-approved testing entity, which includes testing for alcohol and the following drugs of choice: benzodiazepines and opiates. The Board shall be notified immediately in writing if Ms. Bocanegra refuses to give a specimen for analysis as required by this Order or of any positive results. All positive results must be confirmed by a confirmatory drug test, the results of which are to be sent to the Board immediately.

3. Performance evaluations shall be provided to the Board, at the direction of Ms. Bocanegra, by all practice employer(s), using the forms provided by Compliance and available on the Board's website.

4. Ms. Bocanegra shall return all copies of her license to practice as a professional nurse to the Board office within ten days of the date of entry of this Order, along with a payment of a duplicate license fee as specified in the regulations governing nursing. Upon receipt, the Board shall issue a replacement professional nurse licensed marked "Valid in Virginia Only; Probation with Terms."

5. Written reports are required by this Order and, unless otherwise specified, shall be sent to Compliance at the Board offices with the first report(s) received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September, and December until the period of probation ends. Many of the required report forms are available on the Board's website for your convenience.

6. Ms. Bocanegra shall inform the Board in writing within ten days of the date any practice employment begins, changes, is interrupted, or ends. Additionally, Ms. Bocanegra shall provide a contact name, address, and phone number for each practice employer to the Board.

7. Ms. Bocanegra shall inform all current and future practice employers that the Board has placed her on probation and she shall provide each practice employer with a complete copy of this Order. If Ms. Bocanegra is employed through a staffing agency, she shall inform her supervisor in each facility that she is on probation.

8. Ms. Bocanegra shall provide all current and future treating practitioners with a complete copy of this Order and shall execute an *Authorization for Disclosure of Information* form providing for unrestricted communication between the Board, Compliance, and any treatment providers, court-appointed probation or parole officers, and/or any consultants designated by the Board, if applicable.

9. Ms. Bocanegra shall submit “Self-Reports” which include a current address, telephone number, and verification of any and all current practice employment. These reports shall also include any changes in practice employment status. Self-Reports shall be submitted whether Ms. Bocanegra has current practice employment or not.

10. Ms. Bocanegra shall conduct herself as a practical nurse in compliance with the requirements of Title 54.1, Chapter 30 of the Code and the Board of Nursing Regulations.

11. Any violation of the stated terms and conditions of this Order, or failure to comply with all terms of this Order within five years of the date of entry of the Order, shall be reason for suspending or revoking the license of Ms. Bocanegra and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

12. This order shall be applicable to Ms. Bocanegra’s multistate licensure privilege, if any, to practice practical nursing. For the duration of this Order, Ms. Bocanegra shall not work outside the Commonwealth of Virginia pursuant to a multistate licensure privilege without the express written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where she wishes to

work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

Pursuant to §§ 2.2-4023 and 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 public record and shall be made available for public inspection or copying on request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Bocanegra may, not later than 5:00 p.m., on June 10, 2015, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:

*for* Glenn Mitchell-Lundy  
Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.  
Executive Director, Virginia Board of Nursing

ENTERED: May 8, 2015

This Order shall become final on June 10, 2015, unless a request for a formal administrative hearing is received as described above.

**Certified True Copy**

By [Signature]  
**Virginia Board of Nursing**