

#0001220986

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

PAIGE D. MASSINGILL, R.N. APPLICANT

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Paige D. Massingill, as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Massingill's application for licensure by examination to practice as a professional nurse in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Paige D. Massingill submitted an application for licensure by examination to practice as a professional nurse which was received by the Board on March 30, 2009.
2. Ms. Massengill may be unsafe to practice due to impairment from substance abuse, namely alcohol, and mental health issues as evidenced by the following:
 - a. Ms. Massingill was convicted in the General District Court for the City of Winchester, Virginia, on March 3, 2006, of one count of driving under the influence. She was given suspended jail time, a fine, required to participate in the Virginia Alcohol Safety Awareness Program ("VASAP"), and was placed on probation for one year. A letter dated February 26, 2009, from Old Dominion ASAP, Winchester, Virginia, indicated that she had completed the terms and conditions of her probation.
 - b. Ms. Massingill has been diagnosed with Bipolar Disorder II. As of the date of the entry of the Order, she is compliant with her treatment.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(6) of the Code of Virginia (1950), as amended ("Code").

2. Ms. Massingill otherwise meets the requirements of § 54.1-3017 of the Code.

CONSENT

Paige D. Massingill, by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact contained herein and waives her right to contest such Findings of Fact in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her application for licensure to practice as a professional nurse in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. That the application of Paige D. Massingill for licensure by examination as a professional nurse is hereby APPROVED. Upon successful completion of the National Counsel Licensure Exam -- Registered Nurse (NCLEX-RN) and at such time as Ms. Massingill shall provide written evidence to the Board that she has entered the Health Practitioners' Monitoring Program ("HPMP") pursuant to Chapter 25.1 of Title 54.1 of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPMP, the Board shall issue Ms. Massingill a license to practice as a professional nurse.

2. Thereafter, Ms. Massingill shall comply with the following terms and conditions:

a. Ms. Massingill shall comply with all terms and conditions for the period specified by the HPMP.

b. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Massingill, and an administrative proceeding shall be held to determine whether her license shall be revoked. Ms. Massingill shall be noticed to appear before the Board at such time as:

i. Ms. Massingill is not in compliance with the terms and conditions specified by the HPMP;

ii. Ms. Massingill's participation in the HPMP has been terminated;

iii. There is a pending investigation or unresolved allegation against Ms. Massingill involving a violation of law, regulation, or any term or condition of this Order; or


iv. Ms. Massingill has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Massingill's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Massingill's appearance before the Board and conduct an administrative review of this matter.

3. This Order is applicable to Ms. Massingill's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Massengill shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where Ms. Massengill wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

4. Ms. Massingill shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

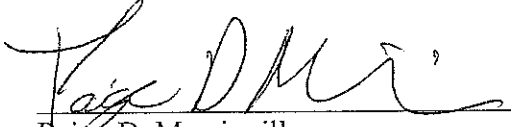
Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying upon request.

FOR THE BOARD


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

ENTERED: July 27th, 2009

SEEN AND AGREED TO:

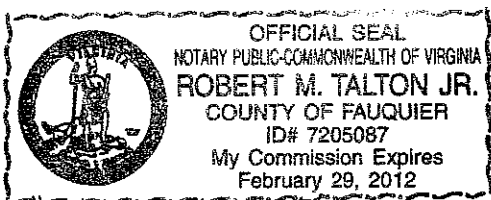

Paige D. Massingill

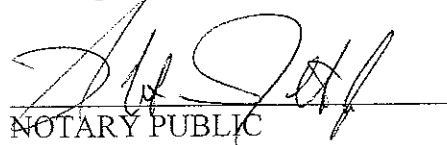
COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF WINCHESTER, TO WIT:

Subscribed and sworn to before me, ROBERT M. TALTON JR., a Notary Public, this 15th day of July, 2009.

My commission expires FEBRUARY 29, 2012.

Registration Number ID # 7205087.




NOTARY PUBLIC