



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions

Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367- 4400
FAX (804) 527- 4475

May 10, 2016

Sabita Maitra, LPN
108 Nottoway Street SE
Leesburg, Virginia 20175

Dear Ms. Maitra:

It is a pleasure to inform you that you have successfully complied with the terms and conditions placed upon your license pursuant to the Consent Order entered May 10, 2016.

The Board recommends that you maintain a copy of this letter for your records, and for future employers.

We wish you well in your future endeavors.

Sincerely,

Gloria Mitchell-Lively, RN, MSN, MBA
Deputy Executive Director
Virginia Board of Nursing

GML/tdj

RECEIVED

BEFORE THE VIRGINIA BOARD OF NURSING

MAY 06 2016

IN RE: **SABITA MAITRA, L.P.N.**
License Number: 0002-092693
Case Number: 168738

VA BD OF NURSING

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Nursing ("Board") and Sabita Maitra, L.P.N., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Ms. Maitra's license to practice as a practical nurse in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Sabita Maitra, L.P.N. was issued License Number 0002-092693 to practice as a practical nurse on July 14, 2015. Said license is scheduled to expire on July 31, 2017. Her primary state of residence is Virginia.

2. Ms. Maitra violated Virginia Code §§ 54.1-3007(2) and (3) and 54.1-3008A(2) and 18 VAC 90-20-300A(2)(f) and (e) of the Regulations Governing the Practice of Nursing ("Regulations") in that she engaged in the practice of nursing from May 26, 2015, until May 28, 2015, without a valid license or Board-issued eligibility letter. Specifically:

a. Ms. Maitra submitted an application for licensure to the Board of Nursing on May 8, 2015.

b. On May 8, 2015, Ms. Maitra interviewed for an L.P.N. position with NOVA Medical Group and Urgent Care Clinic ("NOVA"), Ashburn, Virginia. During the interview, Ms. Maitra informed NOVA that her NCLEX application was complete and she would be taking the examination "within the next two weeks."

c. Assuming that Ms. Maitra was eligible to practice, NOVA hired Ms. Maitra as an L.P.N. on May 18, 2015, and provided a name badge designating her licensure as "LPN". Upon receiving the name badge, Ms. Maitra failed to inform her employer that she had not obtained licensure as an L.P.N. nor an eligibility letter permitting her to practice.

d. On May 26, 2015, while completing her orientation paperwork with NOVA, Ms. Maitra listed her current licensure as "LPN".

e. In the course of her duties on May 28, 2015, Ms. Maitra documented on a patient Vaccine Administration Record that she was an L.P.N. The notation was observed by Ms. Maitra's supervisor during a form audit.

f. On June 1, 2015, Ms. Maitra informed NOVA that she in fact did not have an exam date set and had not received a letter of eligibility to practice. As a result, NOVA verbally informed Ms. Maitra that she was not to practice within the scope of an L.P.N. and that she would be employed as a medical assistant until she received her eligibility to practice letter.

g. Ms. Maitra was issued her eligibility letter on June 17, 2015. Subsequently, Ms. Maitra passed her NCLEX PN Examination on July 13, 2015 and was issued her Virginia L.P.N. license on July 14, 2014.

3. Ms. Maitra violated Virginia Code §54.1-3007(5) and 18 VAC 90-20-300A(2)(b) and (e) of the Regulations in that during the course of her employment at NOVA:

a. On July 19, 2015, Ms. Maitra did not appear for her assigned 7:45 a.m. shift and did not inform her employer that she would not be coming in.

b. On July 22, 2015, Ms. Maitra checked a patient's blood pressure and failed to document her findings in the patient record. Ms. Maitra instead wrote her findings on a scrap of paper, handed it to the patient and walked away. Ms. Maitra then left the facility for lunch and never returned, leaving three patients waiting to be seen.

CONSENT

Sabita Maitra, L.P.N., by affixing her signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; the right to representation by counsel; and the right to cross-examine witnesses against me;
4. I waive all right to an informal conference;
5. I admit to the Findings of Fact and Conclusion of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my right to practice as a practical nurse in the Commonwealth of Virginia.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. Sabita Maitra, L.P.N. is REPRIMANDED.
2. Sabita Maitra, L.P.N. is assessed a MONETARY PENALTY of \$100.00. This penalty shall be paid to the Board by certified check or money order made payable to the Treasurer of Virginia within 90 days from the date of entry of this Order. Failure to pay the full monetary penalty by the due date may cause the matter to be sent for collection and constitutes grounds for an administrative proceeding and further discipline.

3. Sabita Maitra, L.P.N. shall comply with all laws and regulations governing the practice of practical nursing in the Commonwealth of Virginia.

Pursuant to Virginia Code §§2.2-4023 and 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
Jay Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

ENTERED: May 10th, 2016

SEEN AND AGREED TO:

Sabita Maitra
Sabita Maitra, L.P.N.

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

Subscribed and sworn to before me, the undersigned Notary Public, in and for the Commonwealth of Virginia, at large, this 28th day of April, 2016.

[Signature]
Notary Public

OSCAR E MOLINA MELARA
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES APRIL 30, 2019
COMMISSION # 7510352

My commission expires: 04/30/2019
Registration No.: 7510352

Certified True Copy
By: [Signature]
Virginia Board of Nursing