

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE: DENA H. NEWBERRY, R.N. REINSTATEMENT APPLICANT**  
**LicenseNumber: 0001-234773**  
**Case Number: 175454**

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**ORDER**

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**JURISDICTION AND PROCEDURAL HISTORY**

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing ("Board") held a formal administrative hearing on November 14, 2016, in Henrico County, Virginia, to receive and act upon Dena Newberry's application for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia.

Dena H. Newberry appeared at this proceeding and was not represented by legal counsel.

**NOTICE**

By letter dated October 20, 2016, the Board sent a Notice of Formal Hearing ("Notice") to Ms. Newberry notifying her that a formal administrative hearing would be held on November 14, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

**FINDINGS OF FACT**

1. On December 2, 2011, the Board issued License Number 0001-234773 to Dena H. Newberry to practice professional nursing in the Commonwealth of Virginia. Said license was mandatorily suspended by the Department of Health Professions on May 5, 2016. Her primary state of

residence is Virginia. Ms. Newberry submitted an application for reinstatement of her license to practice professional nursing, which was received by the Board on August 5, 2016.

2. By Order of the Tennessee Board of Nursing entered February 1, 2016, Ms. Newberry's license to practice professional nursing was suspended due to her failure to pay student loans in full or through a payment plan. Said action formed the basis of the mandatory suspension of Ms. Newberry's license to practice professional nursing in Virginia.

3. At the hearing, Ms. Newberry testified and provided evidence that she set up a payment plan and has made several payments on the loans.

4. On July 15, 2016, the Tennessee Board of Nursing entered an Order to Terminate Suspension of Ms. Newberry's professional nursing license, with a finding that Ms. Newberry has paid a debt in full, entered into a payment plan or has complied with a payment plan previously entered into.

### CONCLUSIONS OF LAW

Finding of Fact No. 2 constitutes a violation of Virginia Code § 54.1-3007(7).


### **ORDER**

WHEREFORE, the Virginia Board of Nursing, by affirmative vote of at least three-fourths of the members of the Board at the proceeding, effective upon entry of this Order, **ORDERS** that the license issued to Dena H. Newberry to practice professional nursing in the Commonwealth of Virginia is **REINSTATED** without restriction.

Dena H. Newberry shall comply with all laws and regulations governing the practice of professional 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, M.S.M., R.N., C.S.A.C., F.R.E.  
Executive Director  
Virginia Board of Nursing

ENTERED AND MAILED ON:

November 30<sup>th</sup>, 2016

**NOTICE OF RIGHT TO APPEAL**

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in 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, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy

By   
Virginia Board Of Nursing