

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

**EDDIE MOUSSA, L.P.N.
LICENSE NO.: 0002-075704**

ORDER

Pursuant to §§2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on May 17, 2012, in Henrico County, Virginia, to inquire into evidence that Eddie Moussa, L.P.N., may have violated certain laws and regulations governing practical nursing practice in Virginia. The case was presented by Olivia Exterovich, Adjudication Specialist, Administrative Proceedings Division. Howard M. Casway, Senior Assistant Attorney General, was present as legal counsel for the Board. Mr. Moussa was present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Eddie Moussa, L.P.N., was issued License Number 0002-075704 to practice practical nursing in Virginia on May 2, 2007. Said license is set to expire August 31, 2012. Virginia is his primary state of residence.
2. Between March, 2009, and March 16, 2011, during the course of his employment with Vitas Innovative Hospice Care, Vienna, Virginia, Mr. Moussa stole credit cards and checks from Patient A, Patient B, Patient C and Patient D. As a result of these incidents, Mr. Moussa's employment with Vitas Innovative Hospice Care was terminated on or about March 29, 2011.

3. Mr. Moussa was the only healthcare provider employed by Vitas Innovative Hospice Care that was assigned to and cared for each of the patients at the times that these financial instruments went missing.

4. Following Patient A's death, family members discovered that three personal checks and a government annuity check were missing. Following Patient B's death, family members discovered that two personal checks were missing. A credit card was reported missing from Patient C. Following Patient D's death, family members discovered that three personal checks and a credit card were missing.

5. Mr. Moussa has an admitted personal relationship with the individual who, while under surveillance by federal investigators, was observed using or attempting to use the stolen financial instruments.

6 The fraudulently obtained checks were written to "bogus" companies and cashed by Mr. Moussa's friend, and the credit cards were charged for a real estate licensing fee, attorney's fees, and at a gas station in Maryland.

7. The criminal charges issued against Mr. Moussa in March 2011 for obtaining and conspiracy to obtain credit card(s) by fraud or larceny in Fairfax and Prince William Counties, Virginia, were nolle prossed so that he could be prosecuted federally.

8. Mr. Moussa remains under federal investigation for criminal activity.

9. Mr. Moussa testified that his primary state of residence is Virginia, but he has been practicing nursing in Texas for the last seven months at a pediatric hospital.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 2 constitutes a violation of §54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(k) of the Regulations Governing the Practice of Nursing.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. License No. 0002-075704, issued to Eddie Moussa, L.P.N., to practice practical nursing in the Commonwealth of Virginia, is hereby REVOKED.

2. The license of Eddie Moussa, L.P.N., will be recorded as REVOKED and no longer current. Pursuant to §54.1-2408.2 of the Code, should Mr. Moussa seek reinstatement of his license after three years, he shall be responsible for any fees that may be required for the reinstatement of his license prior to issuance of his license to resume practice. The reinstatement of Mr. Moussa's license shall require the affirmative vote of three-fourths of the members at a meeting of the Board.

3. At such time as Mr. Moussa shall petition the Board for reinstatement of his license, a hearing will be convened to determine whether he is able to return to the safe and competent practice of practical nursing.

4. This Order shall be applicable to Mr. Moussa's multistate licensure privileges, if any, to practice practical nursing in the Commonwealth of Virginia.

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.

FOR THE BOARD

Gloria Mitchell

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

Certified True Copy

By *[Signature]*
Virginia Board of Nursing

June 5, 2002

ENTERED

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 P. Douglas, R.N., M.S.M., C.S.A.C., 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.