

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: JANAE A. HARBOR, L.P.N.
License No.: 0002-081469

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on December 1, 2015 in Henrico County, Virginia. Janae A. Harbor, L.P.N. was not present nor was she represented by legal counsel. Judith Pearsall, R.N., B.S.N., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 27, 2016, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Harbor was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Janae A. Harbor, L.P.N. was issued License No. 0002-081469 to practice practical nursing by the Virginia Board of Nursing on November 3, 2009. Said license is set to expire on September 30, 2017. Her primary state of residence is Virginia.

2. By letter dated November 3, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Harbor notifying her that an informal conference would be held on December 1, 2015. The Notice was sent by certified and first class mail to 7704 Enfield Ave., Apt. C5, Norfolk, Virginia 23505, the address of record on file with the Board of Nursing. According to the

United States Postal Service website, the Notice sent by certified mail was delivered on November 4, 2015. The Notice sent by first class mail was not returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Harbor and the informal conference proceeded in her absence.

3. By Order entered April 1, 2015 (“Board’s Order”), based on findings that Ms. Harbor had practiced nursing on an expired license, Ms. Harbor was required to pay a monetary penalty of \$300.00 to the Board within 90 days of the entry of the Order.

4. Ms. Harbor has not yet paid the monetary penalty.

5. During the course of her employment with American Critical Care Nurses, North Chesterfield, Virginia (“ACCN”), on January 7, 2015, while assigned to provide care to Patient A, a ventilator-dependent minor, Ms. Harbor went outside and left the patient unattended for approximately seven minutes.

6. Ms. Harbor’s employment with ACCN was terminated as a result of this incident.

7. On her application for employment with ACCN, dated December 2, 2014:

a. Ms. Harbor failed to disclose her prior employment with and reason for leaving Atlantic Shores assisted living facility.

b. Ms. Harbor falsely stated that her reason for leaving Autumn Care of Mechanicsville was “returning back to school,” when, in fact, her employment had been terminated.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of Term No. 1 of the Board’s Order.

2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing (“Regulations”).

3. Finding of Fact No. 7 constitutes a violation of § 54.1-3007(2) of the Code and 18 VAC

90-20-300(A)(2)(e) of the Regulations.

ORDER


WHEREFORE, it is hereby ORDERED as follows:

1. License No. 0002-081469 of Janae A. Harbor, L.P.N, is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. This suspension applies to any multistate privilege to practice practical nursing.
4. At such time as Ms. Harbor pays the monetary penalty of \$300.00 to the Board, the suspension shall be lifted and Ms. Harbor shall be issued an unrestricted license to practice practical nursing. Ms. Harbor shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.
5. Ms. Harbor is hereby REPRIMANDED.

Pursuant to § 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 a public record, and shall be made available for public inspection and copying upon request.

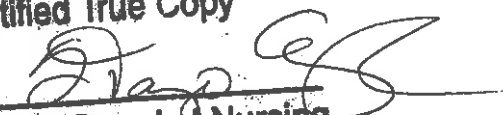
Since Ms. Harbor failed to appear at the informal conference, this Order shall be considered final. Ms. Harbor has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Harbor has thirty (30) days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

FOR THE BOARD


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

Entered: February 16, 2016

Certified True Copy

By 
Virginia Board of Nursing