

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: JANAE 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 16, 2014 in Henrico County, Virginia. Ms. Harbor was not present nor was she represented by legal counsel. Judith Piersall, R.N., B.S.N., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On March 25, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Harbor 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 Harbor, L.P.N., was issued License No. 0002-081469 to practice practical nursing in Virginia on November 3, 2009. Said license expired on September 30, 2013 and was renewed on March 28, 2014. Said license is now set to expire on September 30, 2015. Ms. Harbor's primary state of residence is Virginia.

2. By letter dated November 17, 2014, 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 16, 2014. The Notice was sent by certified and first class mail to, 2582 Reagan Avenue,

Virginia Beach, Virginia, 23454, the address of record on file with the Board of Nursing. The Notice was also sent to, 7728 Enfield Avenue, #201, Norfolk, Virginia, 23505, a secondary address. As of December 16, 2014, neither the first class mail nor the certified mail was 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. During the course of her employment with Autumn Care of Chesapeake, Chesapeake, Virginia, by her own admission, between October 1, 2013 and March 24, 2014, Ms. Harbor practiced practical nursing while her license was expired. Ms. Harbor indicated she was having some personal problems and she forgot to renew her license.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of §§ 54.1-3007(3), 54.1-3008(A)(2) and 54.1-3011(C) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Janae Harbor, L.P.N., shall pay a MONETARY PENALTY of \$300.00 to the Board within 90 days of the entry of this Order.
2. Ms. Harbor shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.
3. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. Harbor and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

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

for *Blarina Mitchell-Lively*
Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

Entered: *April 1, 2015*

Certified True Copy

By *Stacy*
Virginia Board of Nursing