

Certified True Copy

By D. Fowler
Virginia Board of Nursing



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

January 20, 2016

Jennifer Renae Battani
1129 Emerald Green Court
Jacksonville, FL 32246

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL

RE: License Numbers: 0001-200920
0024-171773

DATE 1/20/16

Dear Ms. Battani:

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that the privilege to renew your licenses to practice as a professional nurse and as a licensed nurse practitioner in the Commonwealth of Virginia have been mandatorily suspended by the enclosed Order entered January 20, 2016. You are hereby advised that, pursuant to Section 54.1-2409.1 of the Code, any person who practices a profession or occupation after having their license or certificate to do so suspended shall be guilty of a felony. Please return your licenses to Jay P. Douglas, Executive Director of the Virginia Board of Nursing, at the above address, immediately upon receipt of this letter.

Section 54.1-2409 of the Code further provides that you may apply to the Board of Nursing ("Board") for reinstatement of your licenses and shall be entitled to a hearing not later than the next regular meeting of the Board after the expiration of sixty days from the receipt of such reinstatement application. You have the following rights, among others: to be represented by legal counsel, to have witnesses subpoenaed on your behalf, to present documentary evidence and to cross-examine adverse witnesses. The reinstatement of your licenses shall require the affirmative vote of three-fourths of the members present of the Board of Nursing.

Should you wish to petition the Board of Nursing for reinstatement of your licenses, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4599.

RECEIVED

JAN 26 2016

VA BD OF NURSING

Enclosures

Case #'s 171321 & 171322

Sincerely,

David E. Brown, D.C., Director
Department of Health Professions

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: JENNIFER RENAE BATTANI, R.N., L.N.P.
License Numbers: 0001-200920
0024-171773


ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that the licenses of Jennifer Renae Battani, R.N., L.N.P., to practice as a registered professional nurse and as an advanced practice nurse in the State of Florida were suspended by a Final Order dated December 22, 2015. A certified copy of the Final Order is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the licenses of Jennifer Renae Battani, R.N., L.N.P., to practice as a professional nurse and as a licensed nurse practitioner in the Commonwealth of Virginia be, and hereby are, SUSPENDED.

Upon entry of this Order, the licenses of Jennifer Renae Battani, R.N., L.N.P., will be recorded as suspended. Should Ms. Battani seek reinstatement of her licenses pursuant to Section 54.1-2409 of the Code, she shall be responsible for any fees that may be required for the reinstatement and renewal of her licenses prior to issuance of her licenses to resume practice.

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



David E. Brown, D.C., Director
Department of Health Professions
ENTERED: 1/20/16



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

CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Final Order dated December 22, 2015, regarding Jennifer Renae Battani, R.N., L.N.P., is a true copy of the records received from the State of Florida, Board of Nursing.

David E. Brown, D.C.

Date: 1/20/16

STATE OF FLORIDA
BOARD OF NURSING

Final Order No. DOH-15-2066- **FOI** -MQA

FILED DATE - **DEC 28 2015**
Department of Health

By: Angel Sanchez
Deputy Agency Clerk

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2014-08979

License No.: ARNP 9282768

JENNIFER RENAE BATTANI,

Respondent.

FINAL ORDER

This matter appeared before the Board of Nursing at a duly-noticed public meeting on December 3, 2015 in Orlando, Florida, for a hearing not involving disputed issues of material fact pursuant to Sections 120.569 and 120.57(2), Florida Statutes. Petitioner has filed an Administrative Complaint seeking disciplinary action against the license. A copy of the Administrative Complaint is attached to and made a part of this Final Order. Petitioner was represented by Matthew Witters, Assistant General Counsel, Florida Department of Health. Respondent was not present.

FINDINGS OF FACT

Therefore, the Board adopts as its finding of facts the facts set forth in the Administrative Complaint.

Case No.

1



CONCLUSIONS OF LAW

Based upon the Findings of Fact, the Board concludes the licensee has violated Section 456.072(1)(g), Florida Statutes.

The Board is empowered by Sections 464.018(2) and 456.072(2), Florida Statutes, to impose a penalty against the licensee. Therefore it is ORDERED that:

The licensee must pay investigative costs of \$4,079.10 within 48 months of the date this Final Order is filed. Payment shall be made to the Board of Nursing and mailed to, DOH- Compliance Management Unit, 4052 Bald Cypress Way, Bin C76, Tallahassee, Florida 32399-3276, Attention: Nursing Compliance Officer. Payment must be made by cashier's check or money order ONLY. Personal checks will not be accepted.

The license of JENNIFER RENAE BATTANI is SUSPENDED until she demonstrates compliance with the Order to Compel Examination filed on July 31, 2014.

This Final Order shall become effective upon filing with the Clerk of the Department of Health.

DONE AND ORDERED this 22 day of December, 2015.

BOARD OF NURSING

William E. Spooner, Jr.

Joe R. Baker, Jr.
Executive Director for
Jody Bryant Newman, EdD, EdS
Chair

NOTICE OF APPEAL RIGHTS

Pursuant to Section 120.569, Florida Statutes, the parties are hereby notified that they may appeal this Final Order by filing one copy of a notice of appeal with the clerk of the department and by filing a filing fee and one copy of a notice of appeal with the District Court of Appeal within thirty days of the date this Final Order is filed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail and certified mail, return receipt requested to JENNIFER RENAE BATTANI, 12129 Emerald Green Court, Jacksonville FL 32246; by interoffice mail to Lee Ann Gustafson, Assistant Attorney General, LeeAnn.Gustafson@myfloridalegal.com and Department of Health-PSU, Matthew.Witters@flhealth.gov on this 28th day of Dec. 2015.

Brygel Sanders

Deputy Agency Clerk

7015 0640 0004 5974 0512



**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2014-08979

JENNIFER RENAE BATTANI, A.R.N.P.,

RESPONDENT.

ADMINISTRATIVE COMPLAINT

COMES NOW, Petitioner, Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Nursing against Respondent, Jennifer Renae Battani, A.R.N.P., and in support thereof alleges:

1. Petitioner is the state agency charged with regulating the practice of nursing pursuant to Section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 464, Florida Statutes.

2. At all times material to this Administrative Complaint, Respondent was an advanced registered nurse practitioner (A.R.N.P.) and a certified registered nurse anesthetist (C.R.N.A.) within the state of Florida, having been issued license number ARNP 9282768.

3. Respondent is licensed pursuant to Chapter 464, Florida Statutes, and is a health care practitioner as defined in Section 456.001(4), Florida Statutes.

4. Respondent's address of record is 12129 Emerald Green Court, Jacksonville, Florida 32246.

5. Section 464.018(1)(j), Florida Statutes (2013), states in pertinent part, "the department shall have, upon a finding of the State Surgeon General or the State Surgeon General's designee that probable cause exists to believe that the licensee is unable to practice nursing because of the reasons stated in this paragraph, the authority to issue an order to compel a licensee to submit to a mental or physical examination by physicians designated by the department."

6. On or about July 31, 2014, the Department, through the designee of the State Surgeon General, issued an Order Compelling an Examination to Respondent.

7. The Order Compelling an Examination was scheduled for September 3, 2014, to be conducted by J.M., M.D.

8. On or about August 8, 2014, a Department investigator served Respondent by leaving a copy of the Order Compelling an Examination at

her usual place of abode with a person residing therein who is fifteen years
~~of age or older and informing the person of its contents.~~

9. Respondent failed to submit to the examination on September 3, 2014.

10. Section 456.072(1)(q), Florida Statutes (2014), provides that violating a lawful order of the department or the board, or failing to comply with a lawfully issued subpoena of the department, constitutes grounds for discipline.

11. As set forth above, Respondent violated a lawful order of the Department by failing to comply with the Order Compelling an Examination issued on July 31, 2014.

12. Based on the foregoing, Respondent has violated Section 456.072(1)(q), Florida Statutes (2014), by violating a lawful order of the department or the board, or failing to comply with a lawfully issued subpoena of the department.

WHEREFORE, the Petitioner respectfully requests that the Board of Nursing enter an order imposing one or more of the following penalties: permanent revocation or suspension of Respondent's license, restriction of practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, corrective action, refund of fees billed or collected, remedial education and/or any other relief that the Board deems appropriate.

SIGNED this 21st day of April, 2015.

John H. Armstrong, MD, FACS
State Surgeon General and Secretary of Health



Natalia S. Thomas
Assistant General Counsel
Florida Bar Number 83826
Florida Department of Health
Office of the General Counsel
4052 Bald Cypress Way, Bin #C65
Tallahassee, FL 32399-3265
Telephone: (850) 245-4444 x. 8218
Facsimile: (850) 245-4662
Email: Natalia.Thomas@flhealth.gov

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK *Angel Sanders*
DATE APR 21 2015

/NST

PCP: 4/17/15
PCP Members: Whitson & Kemp

NOTICE OF RIGHTS

Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested.

NOTICE REGARDING ASSESSMENT OF COSTS

Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to Section 456.072(4), Florida Statutes, the Board shall assess costs related to the investigation and prosecution of a disciplinary matter, which may include attorney hours and costs, on the Respondent in addition to any other discipline imposed.