

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: VICTORIA MANN, R.N.  
License No.: 0001-191990**

**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 June 2, 2014, in Henrico County, Virginia, to inquire into evidence that Victoria Mann, R.N., may be in violation of an Order of the Board entered November 18, 2009, and may have violated certain laws governing professional nursing practice in Virginia. The case was presented by David W. Kazzie, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Mann 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. Victoria Mann, R.N., was issued License No. 0001-191990 to practice as a professional nurse in Virginia on August 5, 2004. Said license was indefinitely suspended on February 4, 2014, following the rescission of a stay of suspension, which had been granted by Order of the Board on November 18, 2009. Ms. Mann's primary state of residence is Virginia.
2. On November 18, 2009, the Board entered an Order ("Board's Order") indefinitely suspending Ms. Mann's license to practice professional nursing and staying the suspension contingent upon her entry into the Health Practitioners' Monitoring Program ("HPMP").
3. Term No. 5(a) of the Board's Order required Ms. Mann to comply with the terms and conditions of the HPMP for the period specified by the HPMP.

4. Ms. Mann signed a Participation Contract with the HPMP on March 25, 2010, and she signed six Recovery Monitoring Contracts between April 2010 and October 2013.

5. Ms. Mann was dismissed from the HPMP on December 30, 2013, for noncompliance, including falsifying worksite monitor reports, failing to notify HPMP of a prescription for a controlled barbiturate medication, and failing to complete treatment recommendations as required by the HPMP.

6. In the November 18, 2009 Board Order, the Board made findings that Ms. Mann had a history of falsifying worksite monitor reports to HPMP and had also taken unauthorized drugs while in the program.

7. Ms. Mann testified that she took responsibility for the forms that were sent in but commented that the discrepancies were due to staff turnover.

8. Ms. Mann testified she goes to support group meetings, including AA. She said she has had the same sponsor since 2005. She testified that because she does not have any insurance she does not currently meet with a counselor or therapist. She further stated that she has been sober and clean since March 2009 and is willing to do whatever she needs in order to regain her license.

### **CONCLUSIONS OF LAW**

The Board concludes that Finding of Fact No. 5 constitutes a violation of § 54.1-3007(6) of the Code and Term No 5(a) of the Board's Order.

### **ORDER**

WHEREFORE, it is hereby ORDERED as follows:

1. Victoria Mann, R.N., is hereby REPRIMANDED.
2. License No. 0001-200332 of Victoria Mann, R.N., is hereby INDEFINITELY SUSPENDED.
3. The license will be recorded as suspended and no longer current.
4. At such time as Ms. Mann shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Mann 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. This suspension shall be STAYED upon proof of re-entry into the HPMP. At such time, the indefinite suspension shall be STAYED and the following terms and conditions shall apply:

a. Ms. Mann shall comply with all terms and conditions for the period specified by the HPMP.

b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Ms. Mann, and an administrative proceeding shall be held to determine whether her license/certificate/multistate privilege shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:

i. Ms. Mann is not in compliance with the terms and conditions specified by the HPMP;

ii. Ms. Mann's participation in the HPMP has been terminated;

iii. There is a pending investigation or unresolved allegation against Ms. Mann involving a violation of law, regulation, or any term or condition of this order.

6. Upon receipt of evidence of Ms. Mann's participation and successful completion of the HPMP, the Board, at its discretion, may waive Ms. Mann's appearance before a Committee and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.


7. This Order is applicable to Ms. Mann's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Mann shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where Ms. Mann wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

8. Ms. Mann shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing

Regulations.

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.

FOR THE BOARD:

  
Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director  
Virginia Board of Nursing

ENTERED: June 27, 2014

**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, 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**