

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: FAYE SELDON, R.N.  
License Number: 0001-227295  
Case Number: 176989

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CONSENT ORDER

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JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Nursing ("Board") and Faye Seldon, R.N., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Ms. Seldon's license to practice professional nursing in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Faye Seldon, R.N., was issued License Number 0001-227295 to practice professional nursing on September 22, 2010, which is scheduled to expire on October 31, 2017. Her primary state of residence is Virginia.
2. By Order of the Board entered on December 4, 2015 ("Board's Order"), Ms. Seldon was placed on indefinite probation for not less than two years of actual nursing practice, subject to certain terms and conditions.
3. Ms. Seldon violated Virginia Code § 54.1-3007(2) and (5), 18 VAC 90-20-300(A)(2)(e) of the Regulations Governing the Practice of Nursing (currently found at 18 VAC 90-19-230(A)(2)(e) effective February 24, 2017), and Term Number 3 and 11 of the Board's Order, which required that she practice only in a structured/supervised practice employment setting satisfactory to the Board that provided on-site supervision by a physician/licensed nurse practitioner/professional nurse, who works on the same level of the building and holds an unrestricted license, and to have current and all prospective practice employers provide a written description of the employment setting to the Board office for approval, in that on October 13, 2016, Ms. Seldon was found working alone in the office at Greater

Peninsula Home Care, Sentara Services, by the Clinical Director. Ms. Seldon then provided the director with a fraudulent email, dated August 8, 2016, that Ms. Seldon stated was sent to the Board's Compliance Case Manager, notifying the Board that Ms. Seldon would be working alone on Saturdays and Sundays in her position as Team Coordinator, when, in fact, the email sent to the Board office was a "thank you" for approving this employer.

4. Ms. Seldon violated Term Number 9 of the Board's Order, which required her to provide all current and future treating practitioners with a complete copy of the Order and to execute an Authorization for Disclosure of Information form providing for unrestricted communication between the Board, Compliance, and any treatment providers, court-appointed probation or parole officers, and/or any consultants designated by the Board, if applicable, in that Ms. Seldon failed to provide a complete copy of the Board's Order to her physicians.

5. Ms. Seldon violated Term Numbers 6 and 10 of the Board's Order, which required her to submit "Self-Reports" to the Board, with the first report received in the Board office no later than 60 days from the date the Order was entered, with subsequent reports due quarterly by the last day of the months of March, June, September and December, in that:

- a. The report due on February 2, 2016, was not received until February 19, 2016.
- b. The report due March 31, 2016, was not received until April 12, 2016.
- c. The report due September 30, 2016, was submitted early on September 27, 2016, and was incomplete. Once Ms. Seldon was notified on September 28, 2016, that the report was incomplete, she did not submit the completed Self-Report due September 30, 2016, until November 7, 2016.
- d. The report due March 31, 2017, was not received until April 7, 2017.

## CONSENT

Faye Seldon, R.N., by affixing her signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document and am represented by Nathan C. Mortier, Esq.;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;
4. I waive my right to an informal conference;
5. I neither admit nor deny the Findings of Fact and Conclusions of Law contained herein but waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my licensure to practice professional nursing in the Commonwealth of Virginia.

## ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. Faye Seldon, R.N., is REPRIMANDED.
2. Faye Seldon, R.N., is continued on INDEFINITE PROBATION for a total of two years and six months of actual nursing practice, subject to the terms and conditions set forth in the Order entered December 4, 2015, to wit:

- a. The period of probation began on December 4, 2015 and shall continue for two years and six months of actual nursing practice from that date. After two years and six months of active practice employment, Ms. Seldon may request that the Board end this probation.
- b. Performance Evaluations shall be provided to the Board, at the direction of Ms. Seldon, by all practice employer(s), using the forms provided by Compliance and available on the Board's website.
- c. Ms. Seldon shall practice only in a structured/supervised practice employment setting satisfactory to the Board for the first two years and six months of probation. This employment setting shall provide on-site supervision by a physician/licensed nurse practitioner/professional nurse, who works on the same level of the building, and holds an unrestricted license. For all current practice employment, and before beginning or changing practice employment during this period, Ms. Seldon shall have current and all prospective practice employers provide a written description of the employment setting to the Board office for approval.
- d. Ms. Seldon shall provide evidence within 60 days of entry of the Order entered December 4, 2015, that she has completed the following NCSBN online course: "*Documentation: A Critical Aspect of Client Care and Professional Accountability and Legal Liability for Nurses*". Said term was completed on February 19, 2016.
- e. Ms. Seldon shall return all copies of her license to practice as a professional nurse within ten days of the date of entry of the Order entered December 4, 2015, along with payment of a duplicate license fee as specified in the regulations governing nursing. Upon receipt, the Board shall issue a replacement professional nurse license marked "Valid in Virginia Only; Probation with Terms." Said term has been completed.

f. Written reports are required by this Order and, unless otherwise specified, shall be sent to Compliance at the Board offices with the first report(s) received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends.

g. Ms. Seldon shall inform the Board in writing within ten days of the date any practice employment begins, changes, is interrupted, or ends. Additionally, Ms. Seldon shall provide a contact name, address, and phone number for each practice employer to the Board.

h. Ms. Seldon shall inform all current and future practice employers that the Board has placed her on probation and Ms. Seldon shall provide each practice employer with a complete copy of this Order. If Ms. Seldon is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.

i. Ms. Seldon shall provide all current and future treating practitioners with a complete copy of this Order and shall execute an Authorization for Disclosure of Information form providing for unrestricted communication between the Board, Compliance, and any treatment providers, court-appointed probation or parole officers, and any/or consultants designated by the Board, if applicable.

j. Ms. Seldon shall submit "Self-Reports" which include a current address, telephone number, and verification of any and all current practice employment. These reports shall also include any changes in practice employment status. Self-Reports must be submitted whether Ms. Seldon has current practice employment or not.

k. Ms. Seldon shall conduct herself as a professional nurse in compliance with the requirements of Title 54.1, Chapter 30 of the Code and the Board of Nursing Regulations.

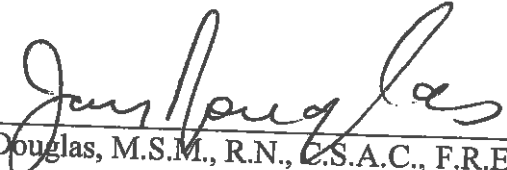
3. Any violation of the stated terms and conditions contained in this Order, or failure to comply with all terms of this Order within five years of the date of entry of the Order entered December 4, 2015,

shall be reason for suspending or revoking the license of Ms. Seldon, and an administrative proceeding may be held to determine whether her license shall be suspended or revoked.

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


Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, 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 Douglas, M.S.M., R.N., C.S.A.C., F.R.E.  
Executive Director  
Virginia Board of Nursing

ENTERED: August 24<sup>th</sup>, 2017

SEEN AND AGREED TO:

  
Faye Seldon, R.N.

COMMONWEALTH OF VIRGINIA  
COUNTY/CITY OF Newport News, TO WIT:

Subscribed and sworn to before me, a notary public in and for the Commonwealth of Virginia at large,  
on this 15<sup>th</sup> day of August, 2017.

Erika Marie Banks  
Notary Public

My commission expires: 7/31/2021

Registration No.: 7742993



Certified True Copy  
By [Signature]  
Virginia Board of Nursing