

COMMONWEALTH of VIRGING

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

September 22, 2015

Linda Joyce Lee, R.N. 11723 Island Avenue Cape Coral, FL 33993

RE: License Number: 0001-245426

Dear Ms. Lee:

CERTIFIED MAIL

DUPLICATE COPY VIA FIRST CLASS MAIL

DATE 9/22/15

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your license to practice as a professional nurse in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered September 22, 2015. 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 license to Jay P. Douglas, Executive Director, 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 license, 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 license 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 license, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4599.

Sincerely,

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

Enclosures Case #169663 VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE:

LINDA JOYCE LEE, R.N.

License No.: 0001-245426

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 California Board of Registered Nursing accepted the voluntary surrender, in lieu

of further disciplinary action, from Linda Joyce Lee, R.N., of her license to practice nursing in the State

of California by a Stipulated Surrender of License and Order dated September 15, 2015. A certified

copy of the Stipulated Surrender of License and 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 license of Linda Joyce Lee,

R.N., to practice as a professional nurse in the Commonwealth of Virginia be, and hereby is,

SUSPENDED.

Upon entry of this Order, the license of Linda Joyce Lee, R.N., will be recorded as suspended

and no longer current. Should Ms. Lee seek reinstatement of her license 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 license prior to issuance of her license 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

of thm

Department of Health Professions

ENTERED: 9/22/15



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CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the D	epartment of Health Professions, hereby
certify that the attached Stipulated Surrender of Li	icense and Order entered September 15,
2015, regarding Linda Joyce Lee, R.N., is a true co	py of the records received from the State
of California Board of Registered Nursing.	Date: 9/22/15
David E. Brown, D.C.	

BOARD OF REGISTERED NURSING DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Accusation Against:

LINDA JOYCE LEE a.k.a., LINDA LEE

Registered Nurse License No. 553591

Case No. 2016-102

Respondent.

DECISION AND ORDER

Pursuant to Title 16 of the California Code of Regulations, section 1403, the attached Stipulated Settlement is hereby adopted by the Board of Registered Nursing as its Decision and Order in the above-entitled matter.

This Decision shall become effective on

tember 15, 2015.

IT IS SO ORDERED this 15th

day of <u>k</u>

1, 20.15

Louise R. Bailey, M.Éd., RN

Executive Officer

Board of Registered Nursing Department of Consumer Affairs

State of California

I heraby certify the foregoing to be a true copy of the documents on tile in our office.

BOARD OF REGISTERED NURSING

Louise R. Salley, M. ED., RN Executive Officer



1	KAMALA D. HARRIS	
2	Attorney General of California JAMES M. LEDAKIS Supervising Departs Attached Consults	
3	Supervising Deputy Attorney General NICOLE R. TRAMA	
4	Deputy Attorney General State Bar No. 263607	
5	600 West Broadway, Suite 1800 San Diego, CA 92101 P.O. Box 85266	
6	San Diego, CA 92186-5266 Telephone: (619) 645-2143	
7	Facsimile: (619) 645-2061 Attorneys for Complainant	
8		
9	DOLLED OF HEGISTERED HORSHAY	
10	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA	
11	In the Matter of the Accusation Against: Case No. 2016-102	
12	In the Matter of the Accusation Against: Case No. 2016-102 LINDA JOYCE LEE, AKA LINDA LEE	
13	11723 Island Avenue	
14	Matlacha, FL 33993 STIPULATED SURRENDER OF LICENSE AND ORDER	
15	Registered Nurse License No. 553591	
16	Respondent.	
17		
18	IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-	
19	entitled proceedings that the following matters are true:	
20	<u>PARTIES</u>	
21	, 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of	
22	Registered Nursing. She brought this action solely in her official capacity and is represented in	
23	this matter by Kamala D. Harris, Attorney General of the State of California, by Nicole R. Trama,	
24	Deputy Attorney General.	
25	2. Linda Joyce Lee, aka Linda Lee (Respondent) is representing herself in this	
26	proceeding and has chosen not to exercise her right to be represented by counsel.	
27	W)	
28		
	(6) 1	

3. On or about March 26, 1999, the Board of Registered Nursing issued Registered Nurse License No. 553591 to Linda Joyce Lee, aka Linda Lee (Respondent). The Registered Nurse License was in full force and effect at all times relevant to the charges brought in Accusation No. 2016-102 and will expire on June 30, 2016, unless renewed.

JURISDICTION

4. Accusation No. 2016-102 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on July 29, 2015. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2016-102 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

- 5. Respondent has carefully read, and understands the charges and allegations in Accusation No. 2016-102. Respondent also has earefully read, and understands the effects of this Stipulated Surrender of License and Order.
- 6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.
- 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 2016-102, agrees that cause exists for discipline and hereby surrenders her Registered Nurse License No. 553591 for the Board's formal acceptance.

 Respondent understands that by signing this stipulation she enables the Board to issue an order accepting the surrender of her Registered Nurse License without further process.

CONTINGENCY

- 10. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.
- 11. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Surrender of License and Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.
- 12. This Stipulated Surrender of License and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.
- 13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. 553591, issued to Respondent Linda Joyce Lee, aka Linda Lee, is surrendered and accepted by the Board of Registered Nursing.

- 1. The surrender of Respondent's Registered Nurse License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board of Registered Nursing.
- Respondent shall lose all rights and privileges as a registered nurse in California as of the effective date of the Board's Decision and Order.
- Respondent shall cause to be delivered to the Board her pocket license and, if one was
 issued, her wall certificate on or before the effective date of the Decision and Order.
- 4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 2016-102 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.
- 5. If and when Respondent's license is reinstated, she shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the amount of \$315.00. Respondent shall be permitted to pay these costs in a payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the Board from reducing the amount of cost recovery upon reinstatement of the license.
- 6. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 2016-102 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.
- 7. Respondent shall not apply for licensure or petition for reinstatement for two (2) years from the effective date of the Board of Registered Nursing's Decision and Order.

1. ACCEPTANCE I have carefully read the Stipulated Surrender of License and Order. I understand the 2 stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated 3 Surrender of License and Order voluntarity, knowingly, and intelligently, and agree to be bound 4 by the Decision and Order of the Board of Registered Nursing. 5 6 09-07-201 7 LINDA JOYCE LEE, AKA LINDA LEE 8 Respondent 9 **ENDORSEMENT** 10 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted 11 for consideration by the Board of Registered Nursing of the Department of Consumer Affairs. 12 Dated: 9-8-2015 13 Respectfully submitted, 14 KAMALA D. HARRIS Attorney General of California 15 JAMES M. LEDAKIS Supervising Deputy Attorney General 16 17 NICOLE R. TRAMA 18 Deputy Attorney General Attorneys for Complainant 19 20 21 SD2015801819 81136524 doc 22 23 24 25 26 27 28 5.