

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: GINA R. SWAFFIELD, R.N. REINSTATEMENT APPLICANT
License No.: 0001-210210**

NOTICE OF HEARING

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Gina R. Swaffield, who prior to its revocation by the Board of Nursing on May 4, 2010, held License No. 0001-210210, which expired on August 31, 2009, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on May 21, 2015, at 10:00 a.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Ms. Swaffield will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Swaffield has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. Swaffield desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to receive and act upon Ms. Swaffield’s application for reinstatement of her license to practice professional nursing in Virginia, which was revoked by Order of the Board entered on May 4, 2010, and to inquire into evidence that Ms. Swaffield may have violated certain laws and regulations governing professional nursing practice in Virginia, as more fully set forth in the Statement of Particulars below.

The burden rests upon Ms. Swaffield, as the applicant, to demonstrate that she is capable of resuming the safe and competent practice of professional nursing in Virginia.

Pursuant to § 54.1-2408.2 of the Code, the reinstatement of Ms. Swaffield's license shall require the affirmative vote of three-fourths of the members of the Board in attendance at the hearing.

STATEMENT OF PARTICULARS

The Board alleges that:

1. Ms. Swaffield may have violated § 54.1-3007(6) of the Code in that she may be unsafe to practice professional nursing due to substance abuse, as evidenced by the following:

a. Ms. Swaffield received outpatient substance abuse treatment at a facility in Florida from 2011 through 2012. Ms. Swaffield relapsed on two occasions during the program and continued to abuse substances including alcohol, opiates, and cocaine until approximately January 2014.

b. Ms. Swaffield received intensive outpatient substance abuse treatment at a facility in Florida from on or about January 20, 2014 through July 28, 2014.

c. Ms. Swaffield entered into a Monitoring Contract with the Florida Intervention Project for Nurses (IPN) on or about July 1, 2014.

2. Ms. Swaffield may have violated § 54.1-3007(7) of the Code in that:

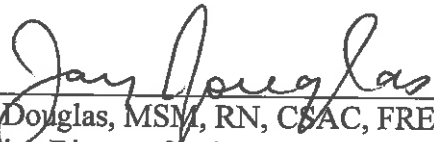
a. On or about April 25, 2011, the State of Florida Board of Nursing entered a Final Order suspending Ms. Swaffield's license as a Registered Nurse until Ms. Swaffield personally appears before the Board and can demonstrate the present ability to engage in the safe practice of nursing and can provide proof of a clear and active Virginia Nursing license. Said action was based upon the May 4, 2010, Order of the Virginia Board of Nursing.

b. On or about December 19, 2011, the State of Florida Board of Nursing entered a Final Order suspending Ms. Swaffield's license as a Registered Nurse until Ms. Swaffield personally appears

before the Board and can demonstrate the present ability to engage in the safe practice of nursing. Said action was based upon Ms. Swaffield's exclusion from participation in Medicare, Medicaid, and all Federal health care programs on or about December 20, 2010.

c. On or about September 17, 2011, the State of Washington Department of Health Nursing Care Quality Assurance Commission entered a Stipulated Findings of Fact, Conclusions of Law and Agreed Order suspending Ms. Swaffield's license to practice as a registered nurse. Said action was based upon the May 4, 2010, Order of the Virginia Board of Nursing.

FOR THE BOARD



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

ENTERED: April 28th, 2015