

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: DELONTEA A. RINEHART, R.N. REINSTATEMENT APPLICANT
License No.: 0001-207615

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 May 18, 2015, in Henrico County, Virginia, to receive and act upon the application of DeLontea A. Rinehart for reinstatement of her license to practice professional nursing in Virginia, which was mandatorily suspended by Order of the Department of Health Professions on February 4, 2015, and to inquire into evidence that Ms. Rinehart may have violated certain laws and regulations governing professional nursing practice in Virginia. The case was presented by Tammie D. Jones, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Rinehart 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. DeLontea A. Rinehart was issued License No. 0001-207615 to practice professional nursing in the Commonwealth of Virginia on June 29, 2007. Said license was mandatorily suspended pursuant to § 54.1-2409 of the Code by Order of the Department of Health Professions entered on February 4, 2015. Her primary state of residence is Virginia.
2. Ms. Rinehart submitted an application for reinstatement of her license to the Board on February 25, 2015.
3. By letter dated November 13, 2014, from the West Virginia Board of Examiners for

Registered Professional Nurses (“West Virginia Board”), Ms. Rinehart’s license to practice professional nursing was suspended after she allowed her license to lapse while on probation. This suspension formed the basis for the mandatory suspension of her license by the Department of Health Professions.

4. By Consent Agreement entered September 30, 2013, by the West Virginia Board, Ms. Rinehart was placed on probation for one year, with terms and conditions. Said action was based on findings that Ms. Rinehart practiced professional nursing after the expiration of her temporary license on December 19, 2012.

5. From February 6, 2015 to February 18, 2015, during the course of her employment at Shore Memorial Hospital, Easton, Maryland, through Jackson Nurse Professionals, Orlando, Florida, Ms. Rinehart practiced professional nursing without a valid license.

6. Ms. Rinehart explained that she moved to West Virginia and relied upon an agency to assist her in keeping her licensure up to date. Ms. Rinehart stated that she did not know that her West Virginia license had expired in 2013. Upon discovering that her license had expired, Ms. Rinehart contacted her employer and the West Virginia Board of Nursing. At the hearing, she took full responsibility for the error.

7. Ms. Rinehart testified that she practiced without a valid license in Maryland because, with her status as a travel nurse, she did not receive the correspondence from the Virginia Board of Nursing in a timely manner.

8. Ms. Rinehart testified that she has alleviated the problem of not receiving mail in a timely manner by adjusting her address and also delegating someone to receive her mail when she is working out of town.

CONCLUSIONS OF LAW

The Board concludes that:

1. Findings of Fact Nos. 3 and 4 constitute a violation of § 54.1-3007(7) of the Code.
2. Finding of Fact No. 5 constitutes a violation of §§ 54.1-3007(3) and 54.1-3008(A)(2) of the

Code.

3. DeLontea A. Rinehart has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

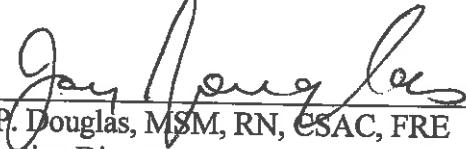
1. The Virginia Board of Nursing, by affirmative vote of at least three-fourths of the members of the Board at the hearing, effective upon entry of this Order, hereby ORDERS that License No. 0001-207615, issued to DeLontea A. Rinehart to practice professional nursing in the Commonwealth of Virginia, be and hereby is REINSTATED.

2. Ms. Rinehart is hereby REPRIMANDED.

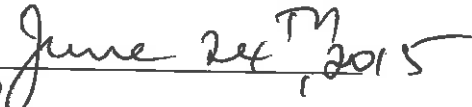
3. Ms. Rinehart shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

Pursuant to §§ 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 public record and shall be made available for public inspection or copying on request.

FOR THE BOARD



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

ENTERED 

Certified True Copy

By 

Virginia Board Of Nursing

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, MSM, RN, CSAC, FRE, 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.