

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       LIONELLE TROFORT, R.N. REINSTATEMENT APPLICANT**  
**License No.: 0001-196367**

**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”), Lionelle Trofort, R.N., who, prior to its suspension by the Department of Health Professions on May 29, 2015, held License No. 0001-196367 to practice professional nursing in Virginia, 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 January 27, 2016, at 11:00 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. Trofort will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Trofort 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. Trofort 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 the application of Lionelle Trofort for reinstatement of her license to practice professional nursing in Virginia, which was suspended by Order of the Department of Health Professions entered on May 29, 2015, and to inquire into evidence that Ms. Trofort 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. Trofort, as the applicant, to demonstrate that she is capable of resuming the safe and competent practice of professional nursing in Virginia.

Pursuant to § 54.1-2409 of the Code, reinstatement of Ms. Trofort's license requires 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. Lionelle Trofort may have violated § 54.1-3007(7) of the Code in that:

a. By Order of the Arizona Board of Nursing entered on May 12, 2015, Ms. Trofort voluntarily surrendered her privilege to practice professional nursing in lieu of further disciplinary action. Said action formed the basis of the mandatory suspension of Ms. Trofort's license to practice professional nursing in Virginia.

b. On or about November 19, 2015, the Tennessee Board of Nursing denied Ms. Trofort's application for licensure as a professional nurse.

2. Ms. Trofort may have violated § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations Governing the Practice of Nursing ("Regulations") in that during the course of her employment at Chinle Nursing Home, Chinle, Arizona, on or about January 31, 2012, Ms. Trofort was terminated for initiating the falsification of credentials for two nursing assistant applicants. Specifically, Ms. Trofort printed an online verification for a certified nursing assistant and forged the verification by cutting and pasting the names of the applicants. Further, each applicant was hired and worked three to four shifts on orientation.

3. Ms. Trofort may have violated §§ 54.1-3007(3) and 54.1-3008(A)(2) of the Code in that from on or about February 27, 2013 to March 19, 2013, she practiced professional nursing at Harris Hospital, Newport, Arkansas, without a valid license or multistate privilege.

4. Ms. Trofort may have violated § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations in that during the course of her employment with Harris Hospital, in or about January 2013, Ms. Trofort submitted falsified radiology quality and peer review data.

5. Ms. Trofort may have violated § 54.1-3007(5) and (8) of the Code in that during the course of her employment at Walter Reed Army Medical Center, Washington, D.C., on or about April 25, 2008, Ms. Trofort made a false statement to her superior officers. Specifically, Ms. Trofort stated that she accompanied a patient to the pharmacy and the patient obtained her medications, which included 10 vials of Dilaudid (hydromorphone, C-II); however, Ms. Trofort reported to the pharmacy without the patient and signed for the patient's medications, which included 20 vials of Dilaudid, 20 tablets of Dilaudid and four tablets of morphine (C-II).

6. Ms. Trofort may have violated § 54.1-3007(1) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Regulations in that on the application for reinstatement dated October 6, 2015, Ms. Trofort answered "no" to the question, "have you ever had disciplinary action taken against your license to practice in a state or against your multi-state privilege to practice," when, in fact she has had disciplinary action taken by the Arkansas Board of Nursing and the Arizona Board of Nursing.

7. Ms. Trofort may have violated § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations in that she falsified the following employment applications:

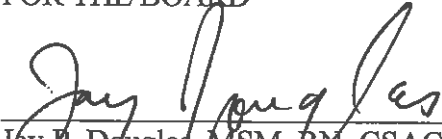
a. The application for employment with Millenia Medical Staffing dated February 2, 2012, in that she falsely indicated that her employment at Chinle IHS Hospital ended February 1, 2012, and that her reason for leaving was "contract completed," when, in fact, her contract was terminated on or about November 7, 2011. Further, Ms. Trofort failed to disclose her employment with Chinle Nursing Home and her subsequent termination for falsification of documents.

b. The application for employment with Golden Living Centers, Southaven, Mississippi, dated March 22, 2013, in that she falsely indicated that her reason for leaving Chinle Nursing Home was “married, moved to Tennessee,” when, in fact, her employment was terminated for unsatisfactory performance. Ms. Trofort also indicated that her reason for leaving Harris Hospital was “one year contract,” when, in fact, her employment was terminated for failing to report a license change and practicing nursing without a valid multistate privilege. Further, Ms. Trofort failed to disclose her employment with Chinle IHS Hospital.

c. The application for employment with Lakeside Behavioral Health, Memphis, Tennessee, dated March 7, 2014, in that she falsely indicated that her reason for leaving Golden Living was “contract completed,” when, in fact, her employment was terminated for extreme failure to perform job duties.

d. The application for employment with Poplar Point Health and Rehabilitation, Memphis, Tennessee, dated May 11, 2015, in that Ms. Trofort failed to disclose all of her professional nursing licenses and disciplinary actions taken against her. She also falsely indicated reasons for leaving three employers who actually terminated her employment.

FOR THE BOARD

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

ENTERED:   
\_\_\_\_\_