

MAY 22 2015

DHP

VIRGINIA:

BEFORE THE COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE

IN RE: DONNA BALGAVY, L.N.P.
License Nos: 0024-165422 & 0017-137688

AMENDED CONSENT ORDER

The Virginia Committee of the Joint Boards of Nursing and Medicine ("Committee of the Joint Boards") and Donna Balgavy, L.N.P., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Balgavy's license to practice as a nurse practitioner in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Donna Balgavy, L.N.P., was issued License No. 0024-165422 by the Committee of the Joint Boards of Nursing and Medicine to practice as a nurse practitioner in the category of acute care in the Commonwealth of Virginia on September 19, 2002. She was also issued Authority to Prescribe No. 0017-137688 on October 9, 2002. Each license is currently active and will expire on June 30, 2015.

2. On her 2013 renewal notice processed by the Board of Nursing ("Board") on June 14, 2013, Ms. Balgavy did not attest to meeting the professional certification required for renewal of her nurse practitioner license or her prescriptive authority.

3. On September 12, 2014, the Board received evidence that Ms. Balgavy had completed the required professional certification hours for renewal of her nurse practitioner license and her prescriptive authority in April, 2012 and September, 2014.

CONCLUSIONS OF LAW

Finding of Fact No. 2 constitutes a violation of §54.1-3007(2) of the Code of Virginia (1950), as amended ("Code"), 18 VAC 90-30-105 and 18 VAC 90-30-220(7) of the Regulations Governing the

Licensure of Nurse Practitioners and 18 VAC 90-40-55 and 18 VAC 90-40-130(A)(2) of the Regulations for Prescriptive Authority for Nurse Practitioners.

CONSENT

Donna Balgavy, L.N.P., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to a formal fact finding hearing before the Committee of the Joint Boards, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to a formal hearing;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice as a nurse practitioner in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Committee of the Joint Boards of Nursing and Medicine, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. Donna Balgavy, L.N.P. is hereby REPRIMANDED.

2. Ms. Balgavy shall maintain a course of conduct in her capacity as a nurse practitioner commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Committee of the Joint Boards of Nursing and Medicine 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 upon request.

FOR THE COMMITTEE OF THE JOINT BOARDS:

Klara Mitchell-Lively
for Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director, Virginia Board of Nursing
ENTERED: May 26, 2015

SEEN AND AGREED TO:

Donna Balgavy
Donna Balgavy, L.N.P.

COMMONWEALTH OF VIRGINIA
COUNTY (CITY) OF Chesapeake TO WIT:

Subscribed and sworn to before me, JoAnne Glover, a Notary Public, this 12th day of May, 2015

My commission expires 8/31/2017

Registration Number 7550599

JoAnne Glover
NOTARY PUBLIC

Certified True Copy

By *[Signature]*
Virginia Board of Nursing



JO ANNE GLOVER
NOTARY PUBLIC 7550599
COMMONWEALTH OF VIRGINIA

MY COMMISSION EXPIRES AUGUST 31, 2017