

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: ASHLEY R. McGHEE, L.P.N.
License No.: 0002-063701

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on March 8, 2016, in Henrico County, Virginia. Ashley R. McGhee, L.P.N., was not present nor was she represented by legal counsel. Judith Piersall, R.N., B.S.N., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On May 18, 2016, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. McGhee was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Ashley R. McGhee, L.P.N., was issued License No. 0002-063701 to practice practical nursing by the Virginia Board of Nursing on May 8, 2002. Said license is set to expire on March 31, 2017. Her primary state of residence is Virginia.

2. By letter dated February 10, 2016, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. McGhee notifying her that an informal conference would be held on March 8, 2016. The Notice was sent by certified and first class mail to 6368 Baxter Road, Disputanta, Virginia 23842, the address of record on file with the Board of Nursing. According to the USPS website, as of March 7, 2016, Ms. McGhee had not retrieved her certified mail from the post office. The Notice sent by first class mail was not returned to the Board office. The Agency Subordinate concluded that adequate

notice was provided to Ms. McGhee and the informal conference proceeded in her absence.

3. By Order of the Board entered on October 22, 2014, the Board indefinitely suspended Ms. McGhee's license to practice practical nursing. Said action was based on findings that Ms. McGhee was diagnosed with bipolar disorder, major depressive disorder and alcohol abuse, which required medication and treatment.

4. By Order of the Board entered on April 30, 2015, Ms. McGhee's license was reinstated contingent upon her entry into and compliance with the Health Practitioners' Monitoring Program ("HPMP").

5. Ms. McGhee entered a Participation Contract with the HPMP on May 3, 2015.

6. The HPMP recommended that Ms. McGhee enter intensive outpatient treatment at the Family Counseling Center for Recovery and that she continue individual therapy. Ms. McGhee discontinued therapy and failed to enter intensive outpatient treatment as recommended. She also failed to contact her HPMP intake case manager. On July 17, 2015, Ms. McGhee was dismissed from the HPMP due to noncompliance.

7. Ms. McGhee failed to respond to requests for an interview with the Department of Health Professions investigator.

CONCLUSIONS OF LAW

Finding of Fact No. 6 constitutes a violation of § 54.1-3007(6) of the Code and Term No. 3 of the Order entered April 30, 2015.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Ashley R. McGhee, L.P.N., is hereby REPRIMANDED.
2. License No. 0002-063701 of Ashley R. McGhee, L.P.N., is INDEFINITELY

SUSPENDED for a period of not less than two years.

3. The license will be recorded as suspended and no longer current.

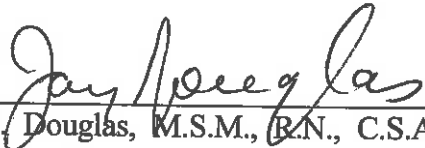
4. At such time as Ms. McGhee shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of practical nursing. Ms. McGhee shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.

5. This suspension applies to any multistate privilege to practice practical nursing.

Pursuant to § 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.

Since Ms. McGhee failed to appear at the informal conference, this Order shall be considered final. Ms. McGhee has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. McGhee has thirty (30) days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

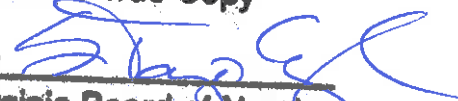
FOR THE BOARD



Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

Entered: June 1, 2016

Certified True Copy

By 

Virginia Board of Nursing