

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: ASHLEIGH ANNE STOVER, L.P.N. REINSTATEMENT APPLICANT
License Number: 0002-091484
Case Number: 180677

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on July 19, 2017, in Henrico County, Virginia, to receive and act upon Ashleigh Anne Stover’s application for reinstatement of her license to practice practical nursing in the Commonwealth of Virginia.

Ashleigh Anne Stover appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated July 6, 2017, the Board sent a Notice of Formal Hearing (“Notice”) to Ms. Stover notifying her that a formal administrative hearing would be held on July 19, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT

1. On September 23, 2014, the Board issued License Number 0002-091484 to Ashleigh Anne Stover to practice practical nursing in the Commonwealth of Virginia. Said license was mandatorily suspended by Order of the Director of the Department of Health Professions on April 6, 2015. Her primary state of residence is Virginia.

2. Ms. Stover submitted an application for reinstatement of her license to practice practical nursing on May 11, 2017.
3. On March 17, 2015, in the Circuit Court for the City of Newport News, Virginia, Ms. Stover was convicted of larceny and larceny with intent to sell, both felonies. Said conviction formed the basis of the mandatory suspension of her license to practice practical nursing. She was sentenced to ten years' imprisonment on each count, with nine years and six months suspended. Ms. Stover was placed on probation and ordered to pay all court costs and be of good behavior for ten years.
4. On May 28, 2015, in the Circuit Court of York County-City of Poquoson, Virginia, Ms. Stover was convicted of grand larceny, a felony, as a result of her theft from Client B. She was sentenced to five years' imprisonment to run consecutively with any other sentences, with three years and six months suspended. Ms. Stover was placed on probation, ordered to pay court costs and restitution, and be of good behavior for ten years. Ms. Stover interacts with her probation officer monthly.
5. On November 16, 2012, in the Newport News, Virginia, General District Court, Ms. Stover was convicted of identity theft, a misdemeanor involving moral turpitude. She was sentenced to twelve months in jail, with nine months suspended, and ordered to pay court costs.
6. On August 25, 2008, in the Hampton, Virginia, General District Court, Ms. Stover was convicted of petit larceny, a misdemeanor involving moral turpitude. She was sentenced to 40 days in jail, suspended, placed on probation, barred from Food Lion and ordered to pay court costs.
7. From February 28, 2011 to March 2, 2011, Ms. Stover was hospitalized at Maryview Medical Center, Portsmouth, Virginia, pursuant to a temporary detention order. She was discharged with diagnoses of bipolar disorder and cannabis dependence.
8. From March 2, 2011 to March 7, 2011, Ms. Stover was hospitalized at Riverside Behavioral Health Center, Hampton, Virginia, as a transfer from Maryview Medical Center. She was

discharged with diagnoses of bipolar I disorder, mixed type with psychosis, acute, and cannabis dependence.

9. From April 22, 2010 to April 26, 2010, Ms. Stover was hospitalized at Sentara Obici Hospital, Suffolk, Virginia, pursuant to a temporary detention order. She was discharged with a diagnosis of mood disorder, NOS and inadequate personality development.

10. From April 28, 2010 to May 4, 2010, Ms. Stover was hospitalized at Riverside Behavioral Health Center, pursuant to a temporary detention order. She was discharged with a diagnosis of rule out psychotic disorder, NOS and rule out bipolar affective disorder, type I.

11. From June 12, 2009 to June 13, 2009, Ms. Stover was hospitalized at Riverside Behavioral Health Center, pursuant to a temporary detention order. She was discharged with diagnoses of bipolar I disorder, most recent episode manic, severe with psychotic features, and cannabis abuse.

12. On the application for reinstatement received by the Board on May 11, 2017, Ms. Stover failed to disclose the following criminal convictions: the May 28, 2015, conviction in York County for grand larceny; the November 16, 2012, conviction in Newport News for identity theft; the September 7, 2012, conviction in Virginia Beach for petit larceny and credit card fraud; and the August 25, 2008, conviction in Hampton for petit larceny. Further, she answered “no” to the question pertaining to having a mental condition which could interfere with her ability to practice nursing, when, in fact, she has been diagnosed with bipolar disorder and has had numerous hospitalizations.

13. On the initial application for licensure received by the Board on April 10, 2014, Ms. Stover failed to disclose the November 16, 2012, conviction in Newport News for identity theft and the August 25, 2008, conviction in Hampton for petit larceny. Further, she answered “no” to the question pertaining to having a mental condition which could interfere with her ability to practice nursing, when, in fact, she has been diagnosed with bipolar disorder and has had numerous hospitalizations.

14. Ms. Stover reported that she has not had any mental health treatment since 2012 and that she does not have a substance abuse problem. Ms. Stover testified that she stopped taking medications prescribed to her due to the changing diagnoses and prescriptions she received. Ms. Stover's decision to stop taking her prescribed medications was against the recommendation of her health care provider. Ms. Stover testified that she believes she is mentally stable. She stated she believed she was suffering from post-partum depression and believed that her daily use of marijuana was not helping her mental condition.

15. The Board determined that Ms. Stover did not meet her burden to prove that she is safe and competent to return to the practice of nursing.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 3-6 constitute a violation of Virginia Code § 54.1-3007(4).
2. Findings of Fact Nos. 7-11 constitute a violation of Virginia Code § 54.1-3007(6).
3. Findings of Fact Nos. 12 and 13 constitute a violation of Virginia Code § 54.1-3007(1) and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing (currently found at 18 VAC 90-19-230(A)(1)(b) effective February 24, 2017).
4. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Stover's health records or health services.

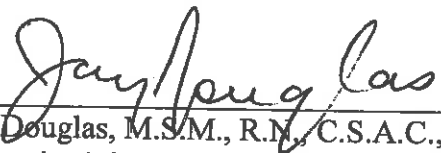
ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, **ORDERS** that the application of Ashleigh Anne Stover, for reinstatement of the license to practice practical nursing in the Commonwealth of Virginia is **DENIED**, due to a failure to obtain the affirmative vote for reinstatement of three-fourths of the members of the Board at the proceeding. Further, it is **ORDERED** that Ms. Stover's practical nursing license be **CONTINUED** on **INDEFINITE SUSPENSION**. Should

she petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether Ms. Stover is able to return to the safe and competent practice of practical nursing. Ms. Stover shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.

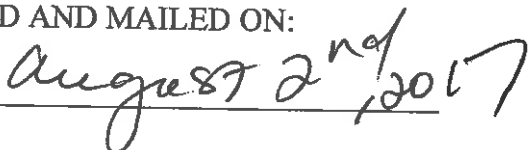
Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD



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

ENTERED AND MAILED ON:



August 2nd, 2017

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, M.S.M., R.N., C.S.A.C., F.R.E., 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.