

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: ASHLEIGH ANNE STOVER, L.P.N. REINSTATEMENT APPLICANT
License Number: 0002-091484
Suspension Date: April 16, 2015
Case Number: 180677

**NOTICE OF FORMAL ADMINISTRATIVE HEARING
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that a Formal Hearing has been scheduled before the Board of Nursing (“Board”) regarding your application for reinstatement of your license to practice practical nursing in the Commonwealth of Virginia following its mandatory suspension by the Department of Health Professions.

TYPE OF PROCEEDING:	This is a formal administrative hearing before a panel of the Board.
DATE AND TIME:	July 19, 2017 2:00 P.M.
PLACE:	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd Floor - Virginia Conference Center Henrico, Virginia 23233

LEGAL AUTHORITY AND JURISDICTION:

1. This formal hearing is being held pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.
2. The burden rests on you, as the applicant, to demonstrate that you are prepared to resume the safe and competent practice of practical nursing.
3. In considering your application, the Board will consider evidence that grounds exist to deny your application for reinstatement of your license to practice practical nursing, as more fully set out in the enclosed Statement of Allegations.
4. At the conclusion of the proceeding, the Board is authorized to take any of the following actions:
 - Approve your application and issue an unrestricted license to practice practical nursing;
 - Approve your application and issue a reprimand, a monetary penalty, and/or a restricted license subject to terms and conditions;
 - Deny your application and continue your license on indefinite suspension or revoke your license.

ABSENCE OF APPLICANT AND APPLICANT'S COUNSEL:

If you fail to appear at the formal hearing, the Board may proceed to hear this matter in your absence and may take any of the actions outlined above.

APPLICANT'S LEGAL RIGHTS:

You have the right to the information on which the Board will rely in making its decision, to be represented by counsel at this proceeding, to subpoena witnesses and/or documents, and to present relevant evidence on your behalf.

COMMONWEALTH'S EXHIBITS:

Enclosed is a copy of the documents that will be distributed to the members of the Board and will be considered by the Board when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the formal hearing.**

FILING DEADLINES:

1. Deadline for filing exhibits: **July 12, 2017**. Submit 15 copies of all documents you want the Board to consider to Darlene Graham, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.

The Commonwealth must file any objections to your submissions in writing, addressed to Darlene Graham at the Board office, no later than **July 13, 2017**. If no objections have been received by **July 13, 2017**, the evidence will be distributed to the Board members for their review, and will be considered by the Board as evidence when it deliberates upon your case. If the Commonwealth raises objections, you have until **July 14, 2017**, to file your response to the objections, in writing and addressed to NAME at the Board office. The Chair of the proceeding will rule on the motion.

2. Deadline for filing motions: **July 12, 2017**, addressed to Darlene Graham at the above address.

3. Deadline for filing any objections to the Commonwealth's exhibits, in writing, to Darlene Graham at the above address: **July 13, 2017**. If you do not file objections by this date, the exhibits will be distributed to the Board members for their review prior to your hearing, and will be considered by the Board as evidence when it deliberates on your case. If you do file objections, the Commonwealth has until **July 14, 2017** to file a response to the objections, in writing, and addressed to Darlene Graham at the Board office. The Chair of the proceeding will rule on the motion. NOTE: failure to object to the distribution of the Commonwealth's exhibits prior to the proceeding will not affect your right to contest any information contained in those exhibits at the proceeding.

REQUEST FOR A CONTINUANCE:

Absent exigent circumstances, such as personal or family illness, a request for a continuance after **July 12, 2017** will not be considered. If you obtain counsel, you should do so as soon as possible, as a motion for a continuance due to the unavailability of counsel will not be considered unless received by **July 12, 2017**.

OTHER IMPORTANT INFORMATION:

Pursuant to Virginia Code § 54.1-2409(D), reinstatement of your license requires the affirmative vote of three-fourths of the members of the Board in attendance at the hearing.

STATEMENT OF ALLEGATIONS

The Board alleges that grounds exist to refuse to reinstate the license of Ashleigh Anne Stover, L.P.N., to practice practical nursing in that:

1. Ms. Stover violated Virginia Code § 54.1-3007(4) in that:

a. On or about 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, as a result of her theft from Patient A. Said conviction formed the basis of the mandatory suspension of her license to practice practical nursing.

b. On or about 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.

c. On or about November 16, 2012, in the Newport News, Virginia, General District Court, she was convicted of identity theft, a misdemeanor involving moral turpitude.

d. On or about August 25, 2008, in the Hampton, Virginia, General District Court, she was convicted of petit larceny, a misdemeanor involving moral turpitude.

2. Ms. Stover violated Virginia Code § 54.1-3007(5) and (8) in that:

a. During the course of a private duty job with Client A, on or about November 8, 2014, Ms. Stover stole jewelry and a harmonica.

b. During the course of her employment with Heart Song Care, L.L.C., Newport News, Virginia, on or about December 2, 2014, while on a home health assignment for Client B, Ms. Stover stole jewelry from the residence.

3. Ms. Stover violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice practical nursing due to substance abuse and/or mental and/or physical illness, as evidenced by the following:

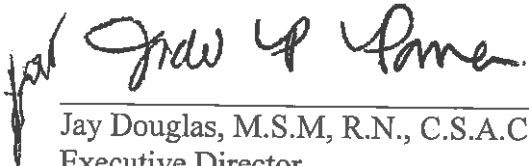
- a. From on or about February 28, 2011 to March 2, 2011, Ms. Stover was hospitalized at Maryview Medical Center, Portsmouth, Virginia, pursuant to a temporary detention order. She was discharged with diagnoses of bipolar disorder and cannabis dependence.
 - b. From on or about March 2, 2011 to March 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.
 - c. From on or about 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.
 - d. From on or about 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.
 - e. From on or about 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.
4. Ms. Stover violated 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) in that:
- a. 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.

b. 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.

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.

See Confidential Attachment for the names of the individuals referenced above.



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



Date