

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: MALANA A. HOPE, L.P.N. REINSTATEMENT APPLICANT**  
**License No.: 0002-079025 (Suspended)**

**AMENDED 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”), Malana A. Hope, L.P.N., who, prior to its mandatory suspension by the Department of Health Professions on March 4, 2015, held License No. 0002-079025 to practice practical 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 March 24, 2016, at 9:30 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. Hope will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Hope 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. Hope 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 Ms. Hope’s application for reinstatement of her license to practice practical nursing in Virginia, which was mandatorily suspended by Order of the Director of the Department of Health Professions, entered on March 4, 2015, and to inquire into evidence that Ms. Hope may have violated certain laws and regulations governing practical nursing practice in Virginia, as more fully set forth in the Statement of Particulars below.

The burden rests upon Ms. Hope, as the applicant, to demonstrate that she is capable of resuming the safe and competent practice of practical nursing in Virginia

Pursuant to § 54.1-2409 of the Code, reinstatement of Ms. Hope’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. Malana A. Hope, L.P.N. may have violated §54.1-3007(4) of the Code in that on or about August 18, 2014, in the Circuit Court of the County of Chesterfield, Virginia, Ms. Hope pleaded guilty to and was convicted of one count of felony possession of marijuana with intent to distribute and one count possession of a firearm while in possession of drugs.

2. Ms. Hope may have violated §54.1-3007(1) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing (“Regulations”), in that, on her application for reinstatement of her license to practice practical nursing:

a. Ms. Hope answered “yes” to a question asking if her license was in good standing. In fact, Ms. Hope’s license had been mandatorily suspended on March 4, 2015.

b. Ms. Hope answered “no” to a question asking if she had a mental, physical, or chemical dependency condition which could interfere with her ability to practice nursing. In fact, Ms. Hope has diagnoses for bipolar disorder NOS, alcohol and cannabis abuse in remission, and rule out ADHD, for which she is not currently receiving treatment or medication.

3. Ms. Hope may have violated §54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations, in that, on her sworn disclosure statement as part of her application for employment with Senior’s First Choice, Mechanicsville, Virginia dated February 18, 2014, Ms. Hope answered “no” to questions asking if she was subject to pending charges for a list of offenses including “any felony violation

relating to possession or distribution of drugs” or subject to any felony charges, when, in fact, Ms. Hope had been arrested and charged with one count of felony possession of marijuana with intent to distribute and one count of felony possession of a firearm while in possession of drugs on January 8, 2014.

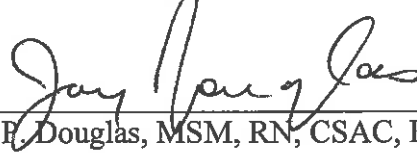
4. Ms. Hope may have violated §54.1-3007(6) of the Code in that she may be unsafe to practice practical nursing due to mental illness and/or chemical dependency, as evidenced by the following:

a. Ms. Hope received psychiatric treatment at Village Family Psychiatry, Richmond, Virginia, from on or about December 1, 2014 through July 16, 2015, where she was diagnosed with bipolar disorder NOS, alcohol and cannabis abuse in remission, and rule out ADHD.

b. By her own admission, Ms. Hope was hospitalized for psychiatric treatment at Tucker Pavilion at CJW, Richmond, Virginia in 1998 following a suicide attempt and in 2004 for bipolar disorder.

c. Ms. Hope has a lengthy history of impulse control and anger issues and has been seen by multiple physicians and tried various medications over the years. On November 5, 2015, Ms. Hope told an investigator for the Department of Health Professions that she was not currently seeing any providers for psychiatric treatment or taking any medications.

FOR THE BOARD



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Jay R. Douglas, MSM, RN, CSAC, FRE  
Executive Director for the  
Board of Nursing

ENTERED: March 2<sup>nd</sup>, 2016