

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: CASSANDRA FOGAN REINSTATEMENT APPLICANT
Certificate No.: 1401-093908

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Cassandra Fogan, C.N.A., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Fogan's application for reinstatement of her certificate to practice as a nurse aide in Virginia.

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

FINDINGS OF FACT

1. Cassandra Fogan, C.N.A., was issued Certificate No. 1401-093908 to practice as a nurse aide by the Virginia Board of Nursing on January 11, 2003. Said certificate expired on January 31, 2009.
2. Ms. Fogan submitted an application for reinstatement of her certificate, which was received by the Board on November 7, 2014.
3. On April 4, 2008, Ms. Fogan was convicted in the Circuit Court of Franklin County, Virginia, of possession of cocaine with intent to distribute, a felony. She was sentenced to 25 years' imprisonment with execution of 20 years suspended and placed on probation for twenty years.
4. As of August 27, 2013, Ms. Fogan was compliant with all court-ordered probation requirements.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(4) of the Code.
2. Ms. Fogan otherwise meets the requirements of § 54.1-3023 of the Code.

CONSENT

Cassandra Fogan, C.N.A., 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 an informal fact finding conference before the Board, 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 an informal conference;
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 application for reinstatement of her certificate to practice as a nurse aide in Virginia.


ORDER

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

1. The certificate of Cassandra Fogan to practice as a nurse aide in the Commonwealth of Virginia is hereby REINSTATED. Upon successful completion of the NNAAP examination, Ms. Fogan shall be issued an unrestricted certificate to practice as a nurse aide.
2. Ms. Fogan is hereby REPRIMANDED.
3. Ms. Fogan shall maintain a course of conduct in her capacity as a nurse aide commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing 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 BOARD


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

ENTERED: February 26, 2015

SEEN AND AGREED TO:


Cassandra Fogan, C.N.A.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Roanoke, TO WIT:

Subscribed and sworn to before me, Jennifer Suzanne Conley, a Notary Public, this 12 day of February, 2015.

My commission expires 10/31/2015.

Registration Number 7512147.


NOTARY PUBLIC

Jennifer Suzanne Conley
Notary Public 7512147
Commonwealth Of Virginia
My Commission Expires 10/31/2015