

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: SHELLY CASSEY, L.P.N.
License No.: 0002-060212

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 October 16, 2014 in Henrico County, Virginia. Shelly Cassey, 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 January 28, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Cassey 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. Shelly Cassey, L.P.N. was issued License No. 0002-060212 to practice practical nursing in Virginia on May 4, 2000. The license is scheduled to expire on November 31, 2015. Her primary state of residence is Virginia.
2. By letter dated September 26, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Cassey notifying her that an informal conference would be held on October 16, 2014. The Notice was sent by certified and first class mail to 131 Buckner Road, Bumpass, Virginia 23024, the address of record on file with the Board of Nursing. The Notice was also sent to 571 Mount Pleasant Church Road, Mineral, Virginia 23117, a secondary address. None of the Notices were returned to the Board office. According to the United States Postal Service website, the Notices sent by certified

mail were unclaimed. The Agency Subordinate concluded that adequate notice was provided to Ms. Cassey and the informal conference proceeded in her absence.

3. By Order entered August 5, 2013 (“Board’s Order”), the Board required Ms. Cassey to complete two NCSBN online courses within 45 days of entry, or by September 19, 2013. This action was based on findings that Ms. Cassey had diverted two prednisone pills from patient supplies for the unauthorized use of a family member during the course of her employment with Louisa Health and Rehabilitation Center.

4. Ms. Cassey contacted the Board’s Compliance Case Manager in October 2013 indicating that she believed that she had until October 19, 2013 to complete the courses and that she would complete the courses as soon as possible. As of the date of the informal conference, Ms. Cassey had not provided evidence that she had completed the two required courses.

CONCLUSIONS OF LAW

Finding of Fact No. 4 constitutes a violation of Term No. 2 of the Board’s Order.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Shelly Cassey, L.P.N., is hereby REPRIMANDED.
2. License No. 0002-060212 of Shelly Cassey, L.P.N. is INDEFINITELY SUSPENDED.
3. The license will be recorded as suspended and no longer current.
4. This suspension applies to any multistate privilege to practice practical nursing.
5. At such time as Ms. Cassey shall present evidence that she has completed the NCSBN online courses *Ethics of Nursing Practice* and *Professional Accountability and Legal Liability for Nurses*, the indefinite suspension shall be lifted and Ms. Cassey shall be issued an unrestricted license to practice practical nursing in Virginia.

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. Cassey failed to appear at the informal conference, this Order shall be considered final. Ms. Cassey 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. Cassey has thirty (30) days from the date of service (the date he/she actually received this decision or the date it was mailed to him/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

per *Kearin Mitchell-Lively*
Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

Entered: *February 9, 2015*

Certified True Copy

By *[Signature]*
Virginia Board of Nursing