

**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 May 8, 2013, in Henrico County, Virginia. Shelly Cassey, L.P.N., was not present nor was she represented by legal counsel. Janet Younger, Ph.D., R.N., P.N.P., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On July 16, 2013, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. 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 13, 2013.
2. By letter dated April 11, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Cassey notifying her that an informal conference would be held on May 8, 2013. The Notice was sent by certified and first class mail to 571 Mount Pleasant Church Road, Mineral, Virginia 23117, the address of record on file with the Board of Nursing. The certified mail receipt was signed by "Larry Lloyd" on April 12, 2013. The Notice sent by first class mail was not returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Cassey and the informal conference proceeded in her absence.

3. During the course of her employment with Louisa Health and Rehabilitation Center, Louisa, Virginia, on September 4, 2012, by her own admission, Ms. Cassey stole two prednisone pills from patient supplies for the unauthorized use of a member of her family.

4. Ms. Cassey had been employed with Louisa Health and Rehabilitation Center from August 2007 until September 2012, when her employment was terminated as a result of this incident. She had previous disciplinary actions for attendance, medication discrepancies, and difficulties with interpersonal relations with co-workers.

5. Ms. Cassey did not respond to requests for an interview with an investigator for the Department of Health Professions.

#### **CONCLUSIONS OF LAW**

Finding of Fact #3 constitutes a violation of § 54.1-3007(2) and (5) of the Code of Virginia (1950), as amended (“Code”), and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing.

#### **ORDER**

WHEREFORE, it is hereby ORDERED as follows:

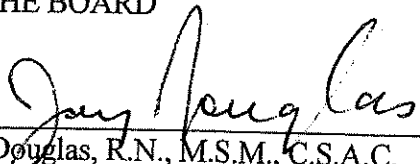
1. Shelly Cassey, L.P.N., is hereby REPRIMANDED.
2. Ms. Cassey shall provide the Board with verification that she has completed the following two NCSBN online courses within 45 days of the entry of this Order: *Ethics of Nursing Practice* and *Professional Accountability and Legal Liability for Nurses*.
3. Ms. Cassey shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.
4. Any violation of the terms and conditions of this Order or of any law or regulation

affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. Cassey and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

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 she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, R.N., M.S.M., C.S.A.C., 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

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

Entered: August 5<sup>th</sup>, 2013

Certified True Copy

By   
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Virginia Board of Nursing