

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: MARGARET O. PHILLIPS, R.N.
License No.: 0001-114915

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. Margaret Phillips, R.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. Ms. Phillips 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. Margaret O. Phillips, R.N. was issued License No. 0001-114915 to practice professional nursing in Virginia on July 28, 1989. The license was revoked by Order of the Board entered November 15, 2005, was reinstated by Order of the Board entered April 4, 2013, and is now scheduled to expire on April 30, 2015.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. Phillips notifying her that an informal conference would be held on October 16, 2014. The Notice was sent by certified and first class mail to 3504 Lafayette Boulevard, #2, Fredericksburg, Virginia 22408, the address of record on file with the Board of Nursing. The Notice was

also sent to 11178 Brunswick Place, Fredericksburg, Virginia 22407, a secondary address. The Notices sent to the address of record were returned to the Board office marked “forward time expired/return to sender/forward to [the secondary address]”. The Notices sent to the secondary address were not returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Phillips and the informal conference proceeded in her absence.

3. The Order of the Board entered on April 4, 2013 reinstated Ms. Phillips’ license to practice professional nursing contingent on her continued compliance with the Health Practitioners’ Monitoring Program, which she had re-entered in March 2013.

4. Ms. Phillips successfully completed substance abuse treatment through A Woman’s Place in November 2013.

5. Ms. Phillips resigned from the HPMP on January 10, 2014, citing spousal health problems, finances, and no foreseeable desire to return to nursing practice. She indicated that she was not employed in a nursing capacity. The HPMP accepted her resignation because she was in full compliance with her contract at the time she resigned.

CONCLUSIONS OF LAW

Finding of Fact No. 5 constitutes a violation of the terms of the Board’s Order entered April 4, 2013.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Margaret O. Phillips, R.N., is hereby REPRIMANDED.
2. Ms. Phillips shall be issued an unrestricted license to practice professional nursing in Virginia.
3. Ms. Phillips shall maintain a course of conduct in her capacity as a professional nurse

commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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. Phillips failed to appear at the informal conference, this Order shall be considered final. Ms. Phillips 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. Phillips 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, 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

for *Gloria 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 6, 2015*

Certified True Copy

By *[Signature]*
Virginia Board of Nursing