

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: MARGARET O'SHEA PHILLIPS
License No: 0001-114915

ORDER

In accordance with Sections 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 September 29, 2005 in Henrico County, Virginia. Margaret O'Shea Phillips was not present and was not represented by legal counsel. Nancy Durrett, R.N., serving as agency subordinate for the Board, submitted a Recommended Decision for consideration.

On November 15, 2005, 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, Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Margaret O'Shea Phillips was issued license number 0001-114915 to practice professional nursing in Virginia on July 28, 1989. Said license expired on April 30, 2005.
2. By letter dated September 1, 2005, the Board of Nursing sent a Notice of Informal Conference before an Agency Subordinate ("Notice") to Ms. Phillips notifying her that an informal conference would be held on September 29, 2005. The Notice was sent by certified and first class mail to 10705 Mystic Point Drive, Fredericksburg, Virginia 22407, the address of record on file with the Board of Nursing. A signed return receipt card was received on September 6, 2005. The Agency Subordinate determined that proper notice had been made, therefore the informal conference convened in Ms. Phillips'

absence.

3. By Order of the Board of Nursing entered June 16, 2003 ("Board's Order"), Ms. Phillips' license was placed on probation subject to certain terms and conditions.

4. The Board's Order required that Ms. Phillips enter into a Recovery Monitoring Contract with the Health Practitioners' Intervention Program, pursuant to Chapter 25.1 of Title 54.1 of the Code, and 18 VAC 76-10-10 et seq. of the Regulations governing the HPIP, within thirty (30) days of the entry of the Board's Order. She failed to do so.

5. The Board's Order required that Ms. Phillips file a "self report" within sixty (60) days of the Board's Order becoming final and continue filing self-reports on a quarterly basis. She failed to do so.

6. The Board's Order required that Ms. Phillips return her license to the Board with the required fee to be marked "PROBATION WITH TERMS." She failed to do so.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact # 4 constitutes a violation of Terms 2 and 10(a) of the Board's Order.
2. Finding of Fact # 5 constitutes a violation of Terms 3, 7 and 10(d) of the Board's Order.
3. Finding of Fact # 6 constitutes a violation of Terms 8 and 10(d) of the Board's Order.

ORDER

WHEREFORE, it is hereby ORDERED that the right to renew the license and any accompanying multistate privileges of Margaret O'Shea Phillips be, and hereby is, REVOKED. At such time as she petitions the Board for reinstatement of her license, an administrative proceeding will be convened to

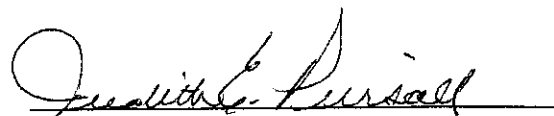
receive evidence satisfactory to the Board that she is capable of resuming the safe and competent practice of nursing.

Upon entry of this Order, the license of Ms. Phillips will be recorded as REVOKED and no longer current. Consistent with this Order, in the event that Ms. Phillips seeks reinstatement of her license, she shall be responsible for any fees that may be required for the reinstatement and renewal of her license prior to issuance of her license to resume practice.

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, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, at 6603 West Broad Street, Richmond, Virginia 23230. In the event that this decision is served by mail, three (3) days are added to that period.

Pursuant to Section 54.1-2400.2(F) 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.

FOR THE BOARD



Judith E. Piersall, R.N., B.S.N.

President

Virginia Board of Nursing

Entered: November 16th, 2005

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed this day to Margaret O'Shea Phillips, at 10705 Mystic Point Drive, Fredericksburg, Virginia 22407.

for Susan Bell Ross
Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director
Board of Nursing

November 22, 2005
DATE

Certified True Copy

By *DL* *11/22/05*
Virginia Board of Nursing