

1401-089781

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: NICOLE M. ANGELO, R.N. APPLICANT
NICOLE M. ANGELO, L.P.N., C.N.A. REINSTATEMENT APPLICANT
License No.: 0002-081615
Certificate No.: 1401-089781**

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on January 26, 2015, in Henrico County, Virginia, to receive and act upon the application of Nicole M. Angelo for reinstatement of her license to practice as a practical nurse and her certificate to practice as a nurse aide in Virginia. The Board also received and acted upon Ms. Angelo's application for licensure by examination as a professional nurse and inquired into evidence that Ms. Angelo may have violated certain laws governing nursing and nurse aide practice in Virginia. The case was presented by Tammie D. Jones, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Angelo was present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Nicole M. Angelo was issued License No. 0002-081615 to practice as a practical nurse in the Commonwealth of Virginia on December 4, 2009. Ms. Angelo was issued Certificate No. 1401-089781 to practice as a nurse aide in the Commonwealth of Virginia on January 17, 2002. The license and certificate were mandatorily suspended pursuant to § 54.1-2409 of the Code by Order of the Department of Health Professions entered on October 2, 2014. Her primary state of residence is Virginia.

2. Ms. Angelo submitted an application for licensure by examination as a professional nurse which

was received by the Board on September 17, 2014.

3. Ms. Angelo submitted an application for reinstatement of her practical nursing license and an application for reinstatement of her nurse aide certificate which were received by the Board on October 15, 2014.

4. On August 9, 2010, in the Circuit Court of Loudoun County, Virginia, Ms. Angelo was convicted of distribution of cocaine and distribution of cocaine as an accommodation, both felonies. Said convictions formed the basis of the mandatory suspension of her license to practice as a practical nurse and her certificate to practice as a nurse aide. Ms. Angelo was sentenced to a total of ten years incarceration with all but six months suspended. Ms. Angelo was ordered to complete three years of supervised probation upon her release, which she successfully completed on May 20, 2014.

5. Ms. Angelo had her civil rights restored by the governor of Virginia on November 19, 2014.

6. Ms. Angelo has been employed as a medical assistant in a physician's office since October 2014.

7. Ms. Angelo testified that she has never taken drugs and her felony conviction was based on being in the car with her children's father when he transacted a drug deal. She admitted that the situation was a mistake. Ms. Angelo testified that she no longer has interaction with her children's father, and she is the sole provider for her two children and for her niece and nephew. Ms. Angelo testified that she has the support of her father and mother.

8. Ms. Angelo also testified that she was in active practice under her practical nursing license and her nurse aide certificate until they were suspended on October 15, 2014. Ms. Angelo stated that she is passionate about nursing and cannot see herself doing anything other than nursing. She desires to continue forward in her education and would like to eventually practice in a burn unit.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(4) of the Code.
2. Ms. Angelo otherwise meets the requirements of § 54.1-3017 of the Code.

ORDER

WHEREFORE, the Virginia Board of Nursing, by affirmative vote of at least three-fourths of the members of the Board at the hearing, effective upon entry of this Order, hereby ORDERS as follows:

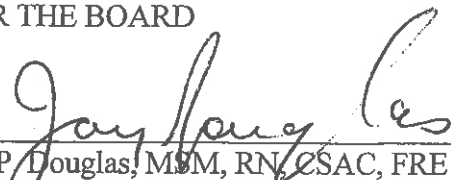
1. License No. 0002-081615 issued to Nicole M. Angelo to practice practical nursing and Certificate No. 1401-089781 to practice as a nurse aide in the Commonwealth of Virginia, are hereby REINSTATED.

2. The application of Nicole M. Angelo for licensure as a professional nurse is hereby APPROVED. Upon successful completion of the NCLEX-RN examination, Ms. Angelo shall be issued an unrestricted license to practice as a professional nurse in the Commonwealth.

3. Ms. Angelo shall maintain a course of conduct in her capacity as a practical nurse, as a nurse aide and as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code, the Regulations Governing the Practice of Nursing and the Regulations Governing Certified Nurse Aides.

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 on request.

FOR THE BOARD



Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing



ENTERED

Certified True Copy

By 

Virginia Board Of Nursing

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.