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VA BD OF NURSING

COMMONWEALTH of VIRGINIA

David E. Brown, D.C.  
Director

Department of Health Professions  
Perimeter Center  
9960 Mayland Drive, Suite 300  
Henrico, Virginia 23233-1463

www.dhp.virginia.gov  
TEL (804) 367-4400  
FAX (804) 527-4475

September 4, 2014

Cathy Perry Culbertson  
8516 Southwestern Boulevard  
Suffolk, VA 23437

CERTIFIED MAIL

DUPLICATE COPY  
VIA FIRST CLASS MAIL

RE: License No.: 0001-090199

DATE 9/4/14

Dear Ms. Culbertson:

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your license to practice nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered September 4, 2014. You are hereby advised that, pursuant to Section 54.1-2409.1 of the Code, any person who practices a profession or occupation after having their license or certificate to do so suspended shall be guilty of a felony. Please return your license to Jay P. Douglas, Executive Director of the Virginia Board of Nursing, at the above address, immediately upon receipt of this letter.

Section 54.1-2409 of the Code further provides that you may apply to the Board of Nursing ("Board") for reinstatement of your license, and shall be entitled to a hearing not later than the next regular meeting of the Board after the expiration of sixty days from the receipt of such reinstatement application. You have the following rights, among others: to be represented by legal counsel, to have witnesses subpoenaed on your behalf, to present documentary evidence and to cross-examine adverse witnesses. The reinstatement of your license shall require the affirmative vote of three-fourths of the members present of the Board of Nursing.

Should you wish to petition the Board of Nursing for reinstatement of your license, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4599.

Sincerely,

David E. Brown, D.C., Director  
Department of Health Professions

cc: Randolph A. Raines, Jr., Esquire  
Enclosures  
Case # 157426

**VIRGINIA:**

**BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS**

**IN RE: CATHY PERRY CULBERTSON, R.N.  
License No.: 0001-090199**

**ORDER**

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that Cathy Perry Culbertson, R.N., was convicted of felony charges in the Circuit Court for the County of Southampton, Virginia, to wit: Five (5) Counts of Prescription Fraud. A certified copy of the Sentencing Order is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the license of Cathy Perry Culbertson, R.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, suspended.

Upon entry of this Order, the license of Cathy Perry Culbertson, R.N., will be recorded as suspended and no longer current. Should Ms. Culbertson seek reinstatement of her license pursuant to Section 54.1-2409 of the Code, 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.

Pursuant to Sections 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 a public record and shall be made available for public inspection and copying upon request.



\_\_\_\_\_  
David E. Brown, D.C., Director  
Department of Health Professions

ENTERED: 9/4/14



# COMMONWEALTH of VIRGINIA


David E. Brown, D.C.  
Director

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## CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Sentencing Order entered August 21, 2014, regarding Cathy Perry Culbertson, R.N., is a true copy of the records received from the Circuit Court for the County of Southampton, Virginia.

  
\_\_\_\_\_  
David E. Brown, D.C.

Date: 9/4/14

**SENTENCING ORDER**

VIRGINIA: IN THE CIRCUIT COURT OF SOUTHAMPTON

FEDERAL INFORMATION PROCESSING  
STANDARDS CODE: 175C

Hearing Date: AUGUST 21, 2014  
Judge: CARL E EASON, JR.

COMMONWEALTH OF VIRGINIA v. CATHY CULBERTSON, Defendant

This case came before the Court for sentencing of the defendant, who appeared in person with his attorney, RAINES, RANDOLPH

The Commonwealth was represented by ERIC A COOKE

On AUGUST 21, 2014 the defendant was found guilty of the following offenses:

Offense Tracking Number	Virginia Crime Code (For Administrative Use Only)	Code Section	Case Number
175GM1300001760	NAR-3016-F6	18.2-258.1	CR14000056-00
Offense Date: 04/25/2012	Description: PRESCRIPTION FRAUD		FELONY
175GM1300001761	NAR-3016-F6	18.2-258.1	CR14000057-00
Offense Date: 05/21/2012	Description: PRESCRIPTION FRAUD		FELONY
175GM1300001762	NAR-3016-F6	18.2-258.1	CR14000058-00
Offense Date: 05/26/2012	Description: PRESCRIPTION FRAUD		FELONY
175GM1300001763	NAR-3016-F6	18.2-258.1	CR14000059-00
Offense Date: 06/14/2012	Description: PRESCRIPTION FRAUD		FELONY
175GM1300001764	NAR-3016-F6	18.2-258.1	CR14000060-00
Offense Date: 06/28/2012	Description: PRESCRIPTION FRAUD		FELONY
Offense Date:	Description:		
Offense Date:	Description:		
Offense Date:	Description:		
Offense Date:	Description:		
Offense Date:	Description:		
Offense Date:	Description:		
Offense Date:	Description:		
Offense Date:	Description:		
Offense Date:	Description:		

The presentence report was considered and is ordered filed as a part of the record in this case in accordance with the provisions of Code § 19.2-299.

No presentence report was ordered.

Pursuant to the provisions of Code § 19.2-298.01, the Court has considered and reviewed the applicable discretionary sentencing guidelines and the guidelines worksheets. The sentencing guidelines worksheets and the written explanation of any departure from the guidelines are ordered filed as a part of the record in this case.

Before pronouncing the sentence, the Court inquired if the defendant desired to make a statement and if the defendant desired to advance any reason why judgment should not be pronounced.



COMMONWEALTH OF VIRGINIA v. CATHY CULBERTSON, Defendant

The court SENTENCES the defendant to:

Case No. CR14000056-00 Description PRESCRIPTION FRAUD

Incarceration with the Virginia Department of Corrections for the term of: 2 years      months      days

FINE. The defendant is ordered to pay fine(s) in the amount of \$                     .

COSTS. The defendant is ordered to pay all costs of this case.

RESTITUTION. The defendant is ordered to make restitution in the amount of \$                      as set forth below.

DRIVER'S LICENSE SUSPENSION: The defendant's driver's license has been suspended

for a period of      years 6 months      days  indefinitely.

RESTRICTED DRIVER'S LICENSE: A restricted driver's license was issued by separate order.

The court SUSPENDS 2 years      months      days of incarceration                      fine  
for a period of                      upon the condition(s) specified in Suspended Sentence Conditions.

Case No. CR14000057-00 Description PRESCRIPTION FRAUD

Incarceration with the Virginia Department of Corrections for the term of: 2 years      months      days

FINE. The defendant is ordered to pay fine(s) in the amount of \$                     .

COSTS. The defendant is ordered to pay all costs of this case.

RESTITUTION. The defendant is ordered to make restitution in the amount of \$                      as set forth below.

DRIVER'S LICENSE SUSPENSION: The defendant's driver's license has been suspended.

for a period of      years 6 months      days  indefinitely.

RESTRICTED DRIVER'S LICENSE: A restricted driver's license was issued by separate order.

The court SUSPENDS 2 years      months      days of incarceration                      fine  
for a period of                      upon the condition(s) specified in Suspended Sentence Conditions.

Case No. CR14000058-00 Description PRESCRIPTION FRAUD

Incarceration with the Virginia Department of Corrections for the term of: 2 years      months      days

FINE. The defendant is ordered to pay fine(s) in the amount of \$                     .

COSTS. The defendant is ordered to pay all costs of this case.

RESTITUTION. The defendant is ordered to make restitution in the amount of \$                      as set forth below.

DRIVER'S LICENSE SUSPENSION: The defendant's driver's license has been suspended.

for a period of      years 6 months      days  indefinitely.

RESTRICTED DRIVER'S LICENSE: A restricted driver's license was issued by separate order.

The court SUSPENDS 2 years      months      days of incarceration                      fine  
for a period of                      upon the condition(s) specified in Suspended Sentence Conditions.

COMMONWEALTH OF VIRGINIA v. CATHY CULBERTSON, Defendant

The court SENTENCES the defendant to:

Case No. CR1400059-00 Description PRESCRIPTION FRAUD

Incarceration with the Virginia Department of Corrections for the term of: 2 years      months      days

FINE. The defendant is ordered to pay fine(s) in the amount of \$                     .

COSTS. The defendant is ordered to pay all costs of this case.

RESTITUTION. The defendant is ordered to make restitution in the amount of \$                      as set forth below.

DRIVER'S LICENSE SUSPENSION: The defendant's driver's license has been suspended

for a period of      years 6 months      days  indefinitely.

RESTRICTED DRIVER'S LICENSE: A restricted driver's license was issued by separate order.

The court SUSPENDS 2 years      months      days of incarceration                      fine  
for a period of                      upon the condition(s) specified in Suspended Sentence Conditions.

Case No. CR1400060-00 Description PRESCRIPTION FRAUD

Incarceration with the Virginia Department of Corrections for the term of: 2 years      months      days

FINE. The defendant is ordered to pay fine(s) in the amount of \$                     .

COSTS. The defendant is ordered to pay all costs of this case.

RESTITUTION. The defendant is ordered to make restitution in the amount of \$                      as set forth below.

DRIVER'S LICENSE SUSPENSION: The defendant's driver's license has been suspended.

for a period of      years 6 months      days  indefinitely.

RESTRICTED DRIVER'S LICENSE: A restricted driver's license was issued by separate order.

The court SUSPENDS      years      months      days of incarceration                      fine  
for a period of                      upon the condition(s) specified in Suspended Sentence Conditions.

**\*ALL BUT TIME SERVED**

Case No.                      Description                     

Incarceration with the Virginia Department of Corrections for the term of:      years      months      days

FINE. The defendant is ordered to pay fine(s) in the amount of \$                     .

COSTS. The defendant is ordered to pay all costs of this case.

RESTITUTION. The defendant is ordered to make restitution in the amount of \$                      as set forth below.

DRIVER'S LICENSE SUSPENSION: The defendant's driver's license has been suspended.

for a period of      years      months      days  indefinitely.

RESTRICTED DRIVER'S LICENSE: A restricted driver's license was issued by separate order.

The court SUSPENDS      years      months      days of incarceration                      fine  
for a period of                      upon the condition(s) specified in Suspended Sentence Conditions.

**Consecutive/concurrent:**

- These sentences shall run consecutively with all other sentences.
- These sentences shall run concurrently with all other sentences.
- These sentences shall run consecutively/concurrently as described:

**Suspended Sentence Conditions:**

- Good Behavior:** The defendant shall be of good behavior for \_\_\_ years \_\_\_ months  from the defendant's release from confinement  \_\_\_\_\_.
- Supervised Probation:** The defendant is placed on probation under the supervision of a Probation Officer to commence  upon sentencing  upon release from incarceration for 5 years \_\_\_ months \_\_\_ days  indefinite or unless sooner released by the court or by the Probation Officer. The defendant shall comply with all the rules and requirements set by the Probation Officer. Probation shall include substance abuse counseling and/or testing as prescribed by the Probation Officer.
- Community-Based Corrections System Program pursuant to Virginia Code § 19.2-316.2 or 19.2-316.3:** The defendant shall successfully complete the \_\_\_\_\_ program. Successful completion of the program shall be followed by a period of intensive probation of \_\_\_\_\_, followed by a period of supervised probation of \_\_\_\_\_.
- The defendant shall remain in custody until program entry.
- Registration pursuant to Code § 9.1-903 for offenses defined in § 9.1-902 is required.
- The defendant shall provide a DNA sample and legible fingerprints as directed.
- Special conditions:**

- The defendant shall make restitution as follows:

\$ \_\_\_\_\_ to \_\_\_\_\_  
for case number(s):

\$ \_\_\_\_\_ to \_\_\_\_\_  
for case number(s):

\$ \_\_\_\_\_ to \_\_\_\_\_  
for case number(s):

\$ \_\_\_\_\_ to \_\_\_\_\_  
for case number(s):

Post-incarceration supervision following felony conviction pursuant to Virginia Code § 18.2-10 and 19.2-295.2:

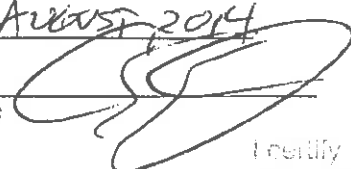
[ ] Post-Incarceration Supervised Probation: The defendant is placed on supervised probation to commence upon release from incarceration for a period of \_\_\_\_\_, unless released earlier by the court. The defendant shall comply with all the rules and requirements set by the Probation Officer.

[ ] Post-Incarceration Post-Release Supervision: In addition to the above sentence of incarceration, the court imposes an additional term of \_\_\_\_\_ of incarceration. This term is suspended and a period of post-release supervision of \_\_\_\_\_, is imposed which is to commence upon release from incarceration. The defendant shall comply with all the rules and requirements set by the Probation Officer.

[X] WHEREUPON THE ACCUSED WAS ARRAIGNED AND AFTER PRIVATE CONSULTATION WITH AND BEING ADVISED BY HER SAID COUNSEL, PLEADED GUILTY TO THE INDICTMENTS, WHICH PLEAS WERE TENDERED BY THE ACCUSED IN PERSON, AND THE COURT HAVING MADE INQUIRY AND BEING OF THE OPINION THAT THE ACCUSED FULLY UNDERSTOOD THE NATURE AND EFFECT OF HER PLEAS AND OF THE PENALTIES THAT MAY BE IMPOSED UPON HER CONVICTION AND OF THE WAIVER OF TRIAL BY JURY AND OF APPEAL, AND FINDING THAT THE PLEAS WERE VOLUNTARILY AND INTELLIGENTLY MADE, THE COURT HAVING BEEN ADVISED BY THE DEFENDANT, HER COUNSEL AND THE ATTORNEY FOR THE COMMONWEALTH THAT THERE HAS BEEN A WRITTEN PLEA AGREEMENT IN THESE CASES, AND SUCH AGREEMENT IN WRITING HAVING BEEN PRESENTED TO THE COURT, AND NOW FILED HEREIN, AND HAVING HEARD THE STIPULATED EVIDENCE OF THE ATTORNEY FOR THE COMMONWEALTH, THE COURT ACCEPTS SAID AGREEMENT AND THE PLEAS OF GUILTY OF THE DEFENDANT AND FINDS THE DEFENDANT GUILTY OF PRESCRIPTION FRAUD (5 COUNTS), AS CHARGED IN THE INDICTMENTS.

[ ] The defendant was remanded to the custody of the sheriff. [X] The defendant was allowed to depart.

The defendant shall be given credit for time spent in confinement while awaiting trial pursuant to Virginia Code § 53.1-187.

ENTER this 21<sup>st</sup> day of August 2014  
\_\_\_\_\_  
Judge 

DEFENDANT IDENTIFICATION:

Name: CATHY CULBERTSON  
Alias: \_\_\_\_\_  
SSN: \_\_\_\_\_ DOB: 07 / 27 / 1962 Sex: F

I certify that the document to which this authentication is affixed is a true copy of a record in the Southampton Circuit Court, I have custody of the document and am the custodian of that record.

Richard L. Francis, Clerk  
 DC  
Southampton Circuit Court

SENTENCE SUMMARY:

Total Incarceration Sentence Imposed: 10 YEARS  
Total Sentence Suspended: \*ALL BUT TIME SERVED IN CR14000060-00  
Total Supervised Probation Term: 5 YEARS  
Total Postrelease Term Imposed and Suspended:

Total Fine Imposed \$ .00 Total Fine Suspended \$ .00

FOR CLERK'S USE ONLY:

[ ] Conviction reported to applicable Board \_\_\_\_\_, Clerk

.....  
DATE

By: \_\_\_\_\_, Deputy Clerk



**VIRGINIA: IN THE CIRCUIT COURT OF SOUTHAMPTON COUNTY  
COMMONWEALTH OF VIRGINIA**

**v. CR14-56 through 14-65**

**CATHY CULBERTSON**

**PLEA AGREEMENT**

This day come the defendant, CATHY CULBERTSON, in person and her attorney, Randolph Raines, Jr, and the Attorney for the Commonwealth, and represent to the Court that the parties have entered into the following plea agreement:

1. The defendant has been indicted by the Grand Jury of Southampton County for ten felonies to wit: **ten counts of prescription fraud** in violation of §18.2-258.1 (NAR-3016-F6) of the 1950 Code of Virginia as amended.
2. The defendant agrees to plead guilty to indictments CR14-56, 57, 58, 59, and 14-60.
3. The Commonwealth agrees to make a motion to nolle prosequere cases CR14-61, 62, 63, 64, and 14-65 upon the court's acceptance of the defendant's pleas of guilty to the offenses listed in paragraph 2.
4. This is an agreement for specific sentences. In each of cases CR14-56, 57, 58, and 14-59 the defendant will receive a sentence of 2 years in the Virginia State Penitentiary with 2 years suspended on each. In CR14-60 the defendant will receive 2 years in the Virginia State Penitentiary with all but any time already served to be suspended. The **total active sentence will be the time already served**. The defendant will be on **supervised probation** upon release for a five year period and will have her **operator's license** suspended for 6 months on each of indictments CR14-56 through 14-60. The defendant is ordered to **pay the costs** of court on a schedule set with the clerk.
5. It is specifically represented that no Judge of this Court participated in any discussion leading to this agreement.
6. The defendant acknowledges that each and every aspect of this agreement and the effects thereof have been fully and adequately



explained to her by her attorney, and that she, the defendant, has entered into this agreement freely and voluntarily, and that this written agreement is the total agreement between the parties. The defendant affirmatively declares that there have been no other inducements, promises, or threats made, or coercion of any kind imposed upon her or suggested to her by the Attorney for the Commonwealth, by any agent of the Commonwealth, or by any other person, and she requests the Court to accept this agreement.

Entered into this the \_\_\_\_ day of August 2014 at Southampton County, Virginia, by:

Cathy Culbertson  
Defendant

[Signature]  
Attorney for the Defendant

[Signature]  
Attorney for the Commonwealth

Filed: 8/21/14

Accepted: 8/21/14

[Signature]  
Judge

I certify that the document to which this authentication is affixed is a true copy of a record in the Southampton Circuit Court, I have custody of the document and am the custodian of that record.

Richard L. Francis, Clerk

[Signature] DC  
Southampton Circuit Court