

Certified True Copy

By [Signature]  
Virginia Board 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

July 11, 2014

Christina Ann Toy  
1172 Owen Drive  
Goode, VA 24556

RE: License No.: 0002-088467

Dear Ms. Toy:

**CERTIFIED MAIL**

**DUPLICATE COPY  
VIA FIRST CLASS MAIL**

DATE 7/11/14

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 July 11, 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 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,

[Signature]

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

Enclosures  
Case # 157934

**VIRGINIA:**

**BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS**

**IN RE:           Christina Ann Toy, L.P.N.  
                  License No.: 0002-088467**


**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 the license of Christina Ann Toy, L.P.N., to practice nursing in the state of Florida was suspended by Final Order entered July 1, 2014. A certified copy of the Final 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 Christina Ann Toy, L.P.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Christina Ann Toy, L.P.N., will be recorded as suspended and no longer current. Should Ms. Toy 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: 7/11/14



# COMMONWEALTH of VIRGINIA

David E. Brown, D.C.  
Director

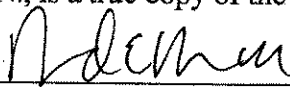
*Department of Health Professions*

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9960 Mayland Drive, Suite 300  
Henrico, Virginia 23233-1463

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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 Final Order entered July 1, 2014, regarding Christina Ann Toy, L.P.N., is a true copy of the records received from the Florida Board of Nursing.

  
\_\_\_\_\_

Date: 7/11/14

David E. Brown, D.C.

FILED DATE JUL 01 2014

Department of Health

By: *Maal Saudeh*

Deputy Agency Clerk

STATE OF FLORIDA  
BOARD OF NURSING

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2013-14241

License No.: PN 5154226

CHRISTINA ANN TOY,

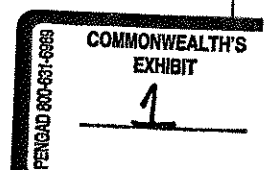
Respondent.

**FINAL ORDER**

This matter appeared before the Board of Nursing at a duly-noticed public meeting on June 5, 2014 in Jacksonville, Florida, for a hearing not involving disputed issues of material fact pursuant to Sections 120.569 and 120.57(2), Florida Statutes. Petitioner has filed an Administrative Complaint seeking disciplinary action against the license. A copy of the Administrative Complaint is attached to and made a part of this Final Order. Service of the Administrative Complaint was made upon Respondent by certified mail, return receipt requested. Respondent has not filed an Election of Rights. Petitioner has filed a Motion for Determination of Waiver and Entry of Final Order. Petitioner was represented by Jodi Ann Livingstone, Assistant General Counsel, Florida Department of Health. Respondent was not present.

**FINDINGS OF FACT**

Since the licensee has not replied to the Administrative Complaint nor contested the factual allegations, the prosecuting



attorney offered the investigative file to prove the facts as alleged. The investigative file was received into evidence and the Board finds the uncontested facts adequately support the allegations. Therefore, the Board adopts as its finding of facts the facts set forth in the Administrative Complaint.

**CONCLUSIONS OF LAW**

Based upon the Findings of Fact, the Board concludes the licensee has violated Section 456.072(1)(q), Florida Statutes.

The Board is empowered by Sections 464.018(2) and 456.072(2), Florida Statutes, to impose a penalty against the licensee. Therefore it is ORDERED that:

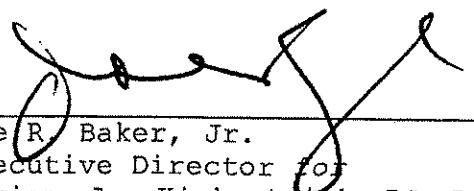
The licensee must pay investigative costs of \$145.58. Payment shall be made to the Board of Nursing and mailed to, DOH-Compliance Management Unit, 4052 Bald Cypress Way, Tallahassee, Florida 32399, Attention: Nursing Compliance Officer. Payment must be made by cashier's check or money order ONLY. Personal checks will not be accepted.

The license of CHRISTINA ANN TOY is SUSPENDED until she makes payment of the costs imposed by this Final Order and demonstrates compliance with each and every term of the Final Order in Case No. 2012-04335 filed on February 21, 2013

This Final Order shall become effective upon filing with the Clerk of the Department of Health.

DONE AND ORDERED this 30 day of June, 2014.

BOARD OF NURSING

  
\_\_\_\_\_  
Joe R. Baker, Jr.  
Executive Director for  
Lavigne Ann Kirkpatrick, BS, RN  
Chair

NOTICE OF APPEAL RIGHTS

Pursuant to Section 120.569, Florida Statutes, the parties are hereby notified that they may appeal this Final Order by filing one copy of a notice of appeal with the clerk of the department and by filing a filing fee and one copy of a notice of appeal with the District Court of Appeal within thirty days of the date this Final Order is filed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail and certified mail, return receipt requested to **CHRISTINA ANN TOY**, 1172 Owen Drive, Goode VA 24556; by interoffice mail to **Lee Ann Gustafson**, Assistant Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050; and Department of Health-PSU, 4052 Bald Cypress Way, Bin # C-65, Tallahassee, Florida 32399-3265 on this 1<sup>st</sup> day of July, 2014.

  
\_\_\_\_\_  
Angel Sanders

**Deputy Agency Clerk**

7013 1710 0002 1580 0129

**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

**DEPARTMENT OF HEALTH,**

**PETITIONER,**

**v.**

**CASE NO. 2013-14241**

**CHRISTINA ANN TOY, L.P.N.,**

**RESPONDENT.**

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**ADMINISTRATIVE COMPLAINT**

COMES NOW, Petitioner, Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Nursing against Respondent, Christina Ann Toy, L.P.N., and in support thereof alleges:

1. Petitioner is the state agency charged with regulating the practice of nursing pursuant to Section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 464, Florida Statutes.

2. At all times material to this Administrative Complaint, Respondent was a practical nurse (L.P.N.) within the state of Florida, having been issued license number PN 5154226.



3. Respondent's address of record is 1172 Owen Drive, Goode, Virginia 24556.

4. On February 21, 2013, the Board of Nursing filed a Final Order in case number 2012-04335.

5. The Final Order required Respondent to submit documentary proof of completion of all necessary continuing education hours, which were required for the biennium renewal, which was the basis for the administrative complaint, within sixty days.

6. Respondent failed to submit proof of completion of all required continuing education hours within sixty days.

7. Section 456.072(1)(q), Florida Statutes, (2012), provides that violating a lawful order of the department or the board, or failing to comply with a lawfully issued subpoena of the department, constitutes grounds for disciplinary action.

8. Respondent violated a lawful order of the Board of Nursing by failing to submit proof of completion of required continuing education hours within sixty days of the date of filing the Final Order in case number 2012-04335 on February 21, 2013.




9. Based on the foregoing, Respondent violated Section 456.072(1)(q), Florida Statutes (2012), by violating a lawful order of the department or the board, or failing to comply with a lawfully issued subpoena of the department.

WHEREFORE, the Petitioner respectfully requests that the Board of Nursing enter an order imposing one or more of the following penalties: permanent revocation or suspension of Respondent's license, restriction of practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, corrective action, refund of fees billed or collected, remedial education and/or any other relief that the Board deems appropriate.

SIGNED this 14<sup>th</sup> day of January, 2014.

John H. Armstrong, MD, FACS  
State Surgeon General and Secretary of Health

  
JUDSON SEARCY  
Assistant General Counsel  
Fla. Bar No. 98772  
Florida Department of Health  
Office of the General Counsel  
4052 Bald Cypress Way, Bin #C65  
Tallahassee, FL 32399-3265  
Telephone: (850) 245-4444  
Facsimile: (850) 245-4683  
Email: judson.searcy@flhealth.gov

PCP: 01/14/2014

PCP Members: Kirkpatrick & Herrera

FILED  
DEPARTMENT OF HEALTH  
DEPUTY CLERK  
CLERK *Angel Sanders*  
DATE JAN 14 2014

## **NOTICE OF RIGHTS**

**Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested.**

## **NOTICE REGARDING ASSESSMENT OF COSTS**

**Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to Section 456.072(4), Florida Statutes, the Board shall assess costs related to the investigation and prosecution of a disciplinary matter, which may include attorney hours and costs, on the Respondent in addition to any other discipline imposed.**