

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: DANIELLE NOLEN, R.N.
License No. 0001-224011**

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 Virginia Board of Nursing ("Board") on November 13, 2013, in Henrico County, Virginia. Danielle Nolen, R.N., was present and was not 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 29, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Nolen submitted written comments/objections.

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. Danielle Nolen, R.N., was issued License No. 0001-224011 to practice as a professional nurse in Virginia on April 20, 2010. The license is scheduled to expire on March 31, 2014. Virginia is her primary state of residence.
2. By letter dated October 15, 2013, the Virginia Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Nolen notifying her that an informal conference would be held on November 13, 2013. The Notice was sent by certified and first class mail to 1360 Pinecroft Road, Apt. 11, Danville, Virginia 24540, the address of record on file with the Board of Nursing.
3. During her employment with Chatham Health and Rehab, Chatham, Virginia:

a. Ms. Nolen and a nurse aide co-worker used a cell phone to record a video of Resident A, who suffers from dementia. In the video, Ms. Nolen and a co-worker prompt Resident A to repeat the words “deuces” and “ratchet ho” while she holds up two fingers. Ms. Nolen later emailed the video to a third party.

b. Ms. Nolen removed copies of four residents’ Medication Administration Records and the medication prescriptions of a fifth resident. She kept these items in an unlocked drawer in her home, where a family member discovered them.

4. At the informal conference, Ms. Nolen admitted to the incidents in Findings of Fact No. 3, and expressed remorse. Ms. Nolen’s employment at Chatham Health and Rehab was her first and only professional nursing employment. Chatham Health and Rehab hired Ms. Nolen in December 2010, and terminated her employment as a result of the above incidents on August 19, 2013..

CONCLUSIONS OF LAW

1. Finding of Fact No. 3(a) constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(m) of the Regulations Governing the Practice of Nursing (“Regulations”).

2. Finding of Fact No. 3(b) constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(c) and (m) of the Regulations Governing the Practice of Nursing.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Danielle Nolen, R.N., is hereby REPRIMANDED.
2. Ms. Nolen shall provide the Board with verification that she has completed the NCSBN online course “*Patient Privacy*” within 60 days of the entry of this Order.
3. Ms. Nolen 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

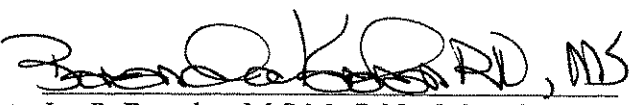
Regulations.

4. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. Nolen and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Nolen may, not later than 5:00 p.m., on March 12, 2014, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD:


Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

ENTERED: Feb. 7, 2014

This Order shall become final on March 12, 2014, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 
Virginia Board of Nursing