

Certified True Copy

By   
Virginia Board of Nursing



RECEIVED

FEB 07 2014

VA BD OF NURSING

COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.  
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

February 7, 2014

Colby Royal Mansell  
11604 Rowan Court  
Fredericksburg, VA 22407  
and  
4406 Ketcham Drive  
Chesterfield, VA 23832

CERTIFIED MAIL

DUPLICATE COPY  
VIA FIRST CLASS MAIL

DATE 2/7/14

RE: License No.: 0001-177972

Dear Mr. Mansell:

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 February 7, 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,

Dianne L. Reynolds-Cane, M.D., Director  
Department of Health Professions

Enclosures  
Case # 154134

**VIRGINIA:**

**BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS**

**IN RE: COLBY ROYAL MANSELL, R.N.**  
**License No.: 0001-177972**


**ORDER**

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Dianne L. Reynolds-Cane, M.D., Director of the Virginia Department of Health Professions, received and acted upon evidence that the license of Colby Royal Mansell, R.N., to practice nursing in the State of California was revoked by a Default Decision and Order which became effective on November 27, 2013. A certified copy of the Default Decision and 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 privilege of Colby Royal Mansell, R.N., to renew his license to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Colby Royal Mansell, R.N., will be recorded as suspended and no longer current. Should Mr. Mansell seek reinstatement of his license pursuant to Section 54.1-2409 of the Code, he shall be responsible for any fees that may be required for the reinstatement and renewal of his license prior to issuance of his 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.

  
\_\_\_\_\_  
Dianne L. Reynolds-Cane, M.D., Director  
Department of Health Professions

ENTERED: 2-7-14



# COMMONWEALTH of VIRGINIA

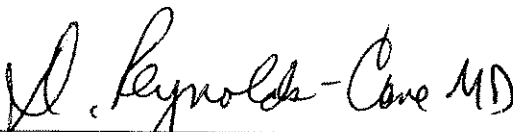
Dianne L. Reynolds-Cane, M.D.  
Director

*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

## CERTIFICATION OF DUPLICATE RECORDS

I, Dianne L. Reynolds-Cane, M.D., Director of the Department of Health Professions, hereby certify that the attached Default Decision and Order which became effective on November 27, 2013, regarding Colby Royal Mansell, R.N., are true copies of the records received from the State of California Board of Registered Nursing.

  
\_\_\_\_\_  
Dianne L. Reynolds-Cane, M.D.

Date: 2-7-14

I hereby certify the foregoing to be a true copy of the documents on file in our office.

REGISTERED NURSING PROGRAM

*Louise R. Bailey, M.Ed., RN*  
Louise R. Bailey, M.ED., RN



**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

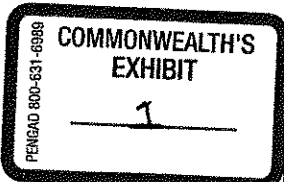
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In the Matter of the Accusation Against:  
  
**COLBY R. MANSELL  
aka COLBY ROYAL MANSELL  
3283 E. Flamingo Road Apt 105  
Las Vegas, NV 89121**  
  
**4406 Ketcham Drive  
Chesterfield, VA 23832**  
  
**Registered Nurse License No. 639328**  
  
RESPONDENT

Case No. 2013-1000  
  
**DEFAULT DECISION AND ORDER**  
  
[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about May 2, 2013, Complainant Louise R. Bailey, M.Ed.,RN, in her official capacity as the Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs, filed Accusation No. 2013-1000 against Colby R. Mansell, aka Colby Royal Mansell (Respondent) before the Board of Registered Nursing. (Accusation attached as Exhibit A.)
2. On or about July 1, 2004, the Board of Registered Nursing (Board) issued Registered Nurse License No. 639328 to Respondent. The Registered Nurse License expired on October 31, 2007 and has not been renewed.
3. On or about May 2, 2013, Respondent was served by Certified and First Class Mail copies of the Accusation No. 2013-1000, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record which, pursuant to Business and Professions Code section 136 and/Title 16, California Code of Regulation, section 1409.1, is required to be reported and maintained with the Board, which was and is:  
  
3283 E. Flamingo Road Apt 105  
  
Las Vegas, NV 89121.



1 On or about June 1, 2013, Respondent was re-served by Certified and First Class Mail  
2 copies of the Accusation No. 2013-1000, Statement to Respondent, Notice of Defense, Request  
3 for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to:

4 4406 Ketcham Drive  
5 Chesterfield, VA 23832.

6 4. Service of the Accusation was effective as a matter of law under the provisions of  
7 Government Code section 11505, subdivision (c) and/or Business & Professions Code section  
8 124.

9 5. On or about May 29, 2013 and May 30, 2013, the aforementioned documents  
10 addressed to 3283 E. Flamingo Road Apt 105, Las Vegas, NV 89121 were returned by the  
11 U.S. Postal Service, marked "Attempted Not Known." On or about June 10, 2013, the  
12 signed Certified Mail Receipt addressed to 4406 Ketcham Drive, Chesterfield, VA 23832  
13 was returned to our office indicating a delivery date of June 6, 2013.

14 6. Business and Professions Code section 2764 states:

15 The lapsing or suspension of a license by operation of law or by order or decision of  
16 the board or a court of law, or the voluntary surrender of a license by a licentiate shall not deprive  
17 the board of jurisdiction to proceed with an investigation of or action or disciplinary proceeding  
18 against such license, or to render a decision suspending or revoking such license.

19 7. Government Code section 11506 states, in pertinent part:

20 (c) The respondent shall be entitled to a hearing on the merits if the respondent files a  
21 notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation  
22 not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's  
23 right to a hearing, but the agency in its discretion may nevertheless grant a hearing.

24 8. Respondent failed to file a Notice of Defense within 15 days after service of  
25 the Accusation upon him, and therefore waived his right to a hearing on the merits of Accusation  
26 No. 2013-1000.

27 9. California Government Code section 11520 states, in pertinent part:  
28

1 (a) If the respondent either fails to file a notice of defense or to appear at the hearing, the  
2 agency may take action based upon the respondent's express admissions or upon other evidence  
3 and affidavits may be used as evidence without any notice to respondent.

4 10. Pursuant to its authority under Government Code section 11520, the Board after  
5 having reviewed the proof of service dated May 2, 2013, signed by Brent Farrand, and the  
6 returned envelopes and domestic return receipt, finds Respondent is in default. The Board will  
7 take action without further hearing and, based on Accusation No. 2013-1000 and the documents  
8 contained in Default Decision Investigatory Evidence Packet in this matter which includes:

9 Exhibit 1: Pleadings offered for jurisdictional purposes; Accusation Case No. 2013-  
10 1000, Statement to Respondent, Notice of Defense (two blank copies),  
11 Request for Discovery and Discovery Statutes (Government Code sections  
12 11507.5, 11507.6 and 11507.7), proof of service; and if applicable, mail  
13 receipt or copy of returned mail envelopes;

14 Exhibit 2: License History Certification for Colby R. Mansell, aka Colby Royal  
15 Mansell, Registered Nurse License No. 639328;

16 Exhibit 3: Affidavit of Kami Pratab;

17 Exhibit 4: Out of State Discipline (Virginia Board of Nursing);

18 Exhibit 5: Declaration of costs by Office of the Attorney General for prosecution of  
19 Case No. 2013-1000.

20 The Board finds that the charges and allegations in Accusation No. 2013-1000 are separately and  
21 severally true and correct by clear and convincing evidence.

22 11. Taking official notice of Certification of Board Costs and the Declaration of Costs by  
23 the Office of the Attorney General contained in the Default Decision Investigatory Evidence  
24 Packet, pursuant to the Business and Professions Code section 125.3, it is hereby determined that  
25 the reasonable costs for Investigation and Enforcement in connection with the Accusation are  
26 \$1,642.50 as of July 11, 2013.

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DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Colby R. Mansell, aka Coby Royal Mansell has subjected his following license(s) to discipline:

a. Registered Nurse License No. 639328

2. The agency has jurisdiction to adjudicate this case by default.

3. The Board of Registered Nursing is authorized to revoke Respondent's license(s) based upon the following violations alleged in the Accusation, which are supported by the evidence contained in the Default Decision Investigatory Evidence Packet in this case.

a. Violation of Business and Professions Code section 2761(a)(4) - Disciplinary action by another State Board of Nursing.

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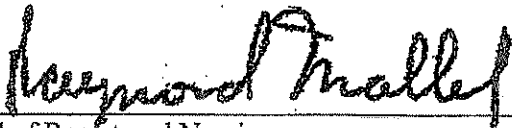
ORDER

IT IS SO ORDERED that Registered Nurse License No. 639328, heretofore issued to Respondent Colby R. Mansell, aka Colby royal Mansell, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on November 27, 2013.

It is so ORDERED October 30, 2013.



Board of Registered Nursing  
Department of Consumer Affairs  
State of California

Attachment:  
Exhibit A: Accusation No. 2013-1000



# Exhibit A

Accusation No. 2013-1000

1 KAMALA D. HARRIS  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
3 ASPASIA A. PAPAVALASSILOU  
Deputy Attorney General  
4 State Bar No. 196360  
1515 Clay Street, 20th Floor  
5 P.O. Box 70550  
Oakland, CA 94612-0550  
6 Telephone: (510) 622-2199  
Facsimile: (510) 622-2270  
7 E-mail: Aspasia.Papavassiliou@doj.ca.gov  
*Attorneys for Complainant*

8  
9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:	Case No. 2013 - 1000
12	
13 <b>COLBY R. MANSELL a.k.a.</b>	
14 <b>COLBY ROYAL MANSELL</b>	<b>A C C U S A T I O N</b>
15 <b>3283 E. Flamingo Road, Apt. 105</b>	
16 <b>Las Vegas, NV 89121</b>	
17 <b>Registered Nurse License No. 639328</b>	
18 <b>Respondent.</b>	

18 Complainant alleges:

19 PARTIES

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
22 Consumer Affairs.

23 2. On or about July 1, 2004, the Board of Registered Nursing issued Registered Nurse  
24 License Number 639328 to Colby R. Mansel, also known as Colby Royal Mansell (Respondent).  
25 The Registered Nurse License expired on October 31, 2007, and has not been renewed.

26 JURISDICTION

27 3. This Accusation is brought before the Board of Registered Nursing (Board),  
28 Department of Consumer Affairs, under the authority of the following laws. All section

1 references are to the Business and Professions Code unless otherwise indicated.

2 4. Section 2750 of Code provides, in pertinent part, that the Board may discipline any  
3 licensee, including a licensee holding a temporary or an inactive license, for any reason provided  
4 in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5 5. Sections 118, subdivision (b), and 2764 of the Code provide, in pertinent part, that the  
6 expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary  
7 proceeding against the licensee or to render a decision imposing discipline on the license during  
8 the period in which the license can be renewed. Under section 2811, subdivision (b), of the Code,  
9 the Board may renew an expired license at any time within eight years after the expiration.

10 STATUTORY PROVISION

11 6. Section 2761 of the Code states, in pertinent part:

12 "The board may take disciplinary action against a certified or licensed nurse or deny an  
13 application for a certificate or license for any of the following:

14 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

15 ...

16 "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action  
17 against a health care professional license or certificate by another state or territory of the United  
18 States, by any other government agency, or by another California health care professional  
19 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that  
20 action."

21 COST RECOVERY

22 7. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
23 administrative law judge to direct a licentiate found to have committed a violation or violations of  
24 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
25 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being  
26 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
27 included in a stipulated settlement.


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3. Taking such other and further action as deemed necessary and proper.

DATED: MAY 02, 2013

  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

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accusation.rtf