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OF NURSING

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By   
Virginia Board 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

January 13, 2014

Michelle Hazard Rooney  
206 South Fredmont Avnue  
Tampa, FL 33606

CERTIFIED MAIL

DUPLICATE COPY  
VIA FIRST CLASS MAIL

DATE 1/13/14

RE: License No.: 0001-195615

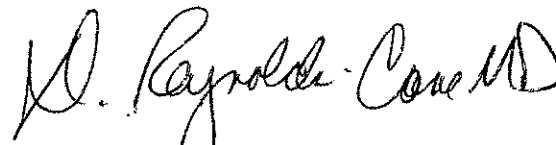
Dear Ms. Rooney:

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 January 13, 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 # 154687

**VIRGINIA:**

**BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS**

**IN RE: MICHELLE HAZARD ROONEY, R.N.  
License No.: 0001-195615**

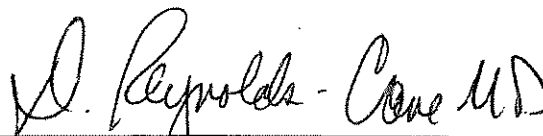
**ORDER**

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 Florida State Board of Nursing accepted the voluntary surrender, in lieu of further disciplinary action, from Michelle Hazard Rooney, R.N., of her license to practice nursing in the State of Florida by a Final Order dated December 19, 2013. A certified copy of the Final Order (with attachment) 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 Michelle Hazard Rooney, R.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Michelle Hazard Rooney, R.N., will be recorded as suspended. Should Ms. Rooney 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.



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

ENTERED: \_\_\_\_\_

1-13-14



# 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

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## CERTIFICATION OF DUPLICATE RECORDS

I, Dianne L. Reynolds-Cane, M.D., Director of the Department of Health Professions, hereby certify that the attached Final Order (with attachment) dated December 19, 2013, regarding Michelle Hazard Rooney, R.N., is a true copy of the records received from the Florida State Board of Nursing.

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

Date: 1-13-14

FILED DATE 12-20-13  
Department of Health

By: Bridget Coates  
Deputy Agency Clerk

STATE OF FLORIDA  
BOARD OF NURSING

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2013-07505  
License No.: RN 9312001

MICHELLE LYN ROONEY,

Respondent.

FINAL ORDER

THIS CAUSE came before the BOARD OF NURSING (Board) pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on December 6, 2013, in Deerfield Beach, Florida, for the purpose of considering a voluntary relinquishment (attached hereto as Exhibit A). 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 as Exhibit B. Upon consideration of the voluntary relinquishment, the documents submitted in support thereof, the arguments of the parties, and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that the voluntary relinquishment is accepted as a resolution of this case.

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.



DONE AND ORDERED this 19 day of December, 2013.

BOARD OF NURSING

William E. Spooner for  
JOE R. BAKER, JR.  
Executive Director for  
Lavigne A. Kirkpatrick, BS,  
RN, Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to MICHELLE LYN ROONEY, 206 B S. Fremont Ave., Tampa, FL 33606; and by interoffice delivery to and by interoffice delivery to Lee Ann Gustafson, Senior Assistant Attorney General, Department of Legal Affairs, PL-01 The Capitol, Tallahassee FL 32399-1050, Casey Cowan, Department of Health, 4052 Bald Cypress Way, Bin C-65, Tallahassee, Florida 32399-3265 this 20<sup>th</sup> day of December, 2013.

Bridget Coates

**Deputy Agency Clerk**

FILED  
DEPARTMENT OF HEALTH  
DEPUTY CLERK  
CLERK *Angel Sanders*  
DATE **OCT 01 2013**

STATE OF FLORIDA  
DEPARTMENT OF HEALTH

PRACTITIONER REGULATION  
LEGAL  
2013 SEP 27 PM 12:03

**DEPARTMENT OF HEALTH,**

**Petitioner,**

**v.**

**Case No. 2013-07505**

**MICHELLE LYN ROONEY, R.N.,**

**Respondent.**

\_\_\_\_\_ /

**VOLUNTARY RELINQUISHMENT OF LICENSE**

Respondent, **Michelle Lyn Rooney, R.N.**, license number **9312001**, hereby voluntarily relinquishes Respondent's license to practice nursing in the State of Florida and states as follows:

1. Respondent's purpose in executing this Voluntary Relinquishment is to avoid further administrative action with respect to this case. Respondent understands that acceptance by the Board of Nursing (hereinafter the Board) of this Voluntary Relinquishment shall be construed as disciplinary action against Respondent's license pursuant to Section 456.072(1)(f), Florida Statutes. As with any disciplinary action, this relinquishment will be reported to the National Practitioner's Data Bank. Licensing authorities in other states may impose discipline in their jurisdiction based on discipline taken in Florida.

2. Respondent agrees to voluntarily cease practicing nursing immediately upon executing this Voluntary Relinquishment. Respondent further agrees to refrain

from the practice of nursing until such time as this Voluntary Relinquishment is presented to the Board and the Board issues a written Final Order in this matter.

3. In order to expedite consideration and resolution of this action by the Board in a public meeting, Respondent, being fully advised of the consequences of so doing, hereby waives the statutory privilege of confidentiality of Section 456.073(10), Florida Statutes, and waives a determination of probable cause, by the Probable Cause Panel, or the Department when appropriate, pursuant to Section 456.073(4), Florida Statutes, regarding the complaint, the investigative report of the Department of Health, and all other information obtained pursuant to the Department's investigation in this case. By signing this waiver, Respondent understands that the record and complaint become public record and remain public record and that information is immediately accessible to the public.

4. Upon the Board's acceptance of this Voluntary Relinquishment, Respondent agrees to waive all rights to seek judicial review, or to otherwise challenge or contest the validity of this Voluntary Relinquishment and of the Final Order of the Board incorporating this Voluntary Relinquishment.

5. Petitioner and Respondent hereby agree that upon the Board's acceptance of this Voluntary Relinquishment, each party shall bear its own attorney's fees and costs related to the prosecution or defense of this case.


6. Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent in connection with the Board's consideration of this Voluntary Relinquishment. Respondent agrees that consideration of this Voluntary

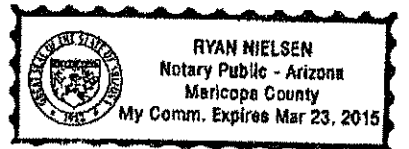
Relinquishment and other related materials by the Board shall not prejudice or preclude the Board, or any of its members, from further participation, consideration, or resolution of these proceedings if the terms of this Voluntary Relinquishment are not accepted by the Board.

SIGNED this 23 day of September, 2013.

*Michelle Lyn Rooney*  
Michelle Lyn Rooney, R.N.

Arizona  
STATE OF ~~FLORIDA~~  
COUNTY OF Maricopa  
Before me personally appeared Michelle Lyn Rooney whose identity is known to be by Driver License (type of identification), and who under oath, acknowledges that his/her signature appears above. Sworn to and subscribed by Respondent before me this 23 day of September, 2013.

  
Notary Public  
My Commission Expires: 3/23/15





**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

**DEPARTMENT OF HEALTH,**

**Petitioner,**

**Case No. 2013-07505**

**v.**

**MICHELLE LYN ROONEY, R.N.,**

**Respondent.**

---

**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, Michelle Lyn Rooney, R.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 Complaint, Respondent was a registered nurse (R.N.) within the state of Florida, having been issued license number RN 9312001.

3. Respondent's address of record is 206 B South Fremont Avenue, Tampa, Florida 33606.

4. On or about March 21, 2010, Respondent entered into an advocacy contract with the Intervention Project for Nurses (IPN), for the time period of on or about March 4, 2010, until on or about June 15, 2014.

5. IPN is the impaired practitioner program for the Board of Nursing, pursuant to Section 456.076, Florida Statutes. IPN is a program that monitors the evaluation, care and treatment of impaired nurses. IPN oversees random drug screens and provides for the exchange of information between treatment providers, evaluators and the Department for the protection of the public.

6. On or about May 7, 2013, Respondent was dismissed from the IPN program for failing to comply with the terms of her monitoring agreement.

7. Section 456.072(1)(hh), Florida Statutes (2012), provides that being terminated from a treatment program for impaired practitioners, which is overseen by an impaired practitioner consultant as described in Section 456.076, Florida Statutes, for failure to comply, without good cause, with the terms of the monitoring or treatment contract entered into

by the licensee, or for not successfully completing any drug treatment or alcohol treatment program constitutes grounds for disciplinary action.

8. As set forth above, on or about May 7, 2013, Respondent was terminated from IPN, which is a treatment program for impaired practitioners as described by Section 456.076, Florida Statutes, for failing to comply with the terms of her advocacy contract.

9. Based on the foregoing, Respondent violated Section 456.072(1)(hh), Florida Statutes (2012), by being terminated from a treatment program for impaired practitioners, which is overseen by an impaired practitioner consultant as described in Section 456.076, Florida Statutes, for failure to comply, without good cause, with the terms of the monitoring or treatment contract entered into by the licensee, or for not successfully completing any drug treatment or alcohol treatment program.

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, remedial education and/or any other relief that the Board deems appropriate.

SIGNED this 4<sup>th</sup> day of September, 2013.

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



Ana M. Gargollo-McDonald  
Assistant General Counsel  
DOH Prosecution Services Unit  
4052 Bald Cypress Way, Bin C-65  
Tallahassee, Florida 32399-3265  
Florida Bar Number 0085907  
Telephone (850) 245-4640  
Facsimile (850) 245 - 4444 Ext. 8133

FILED  
DEPARTMENT OF HEALTH  
DEPUTY CLERK  
CLERK *Angel Sanders*  
DATE SEP 04 2013

/AGM  
PCP: 9/3/2013  
PCP Members: Harne & Newman

## NOTICE OF RIGHTS

Respondent has the right to request a hearing to be conducted in accordance with Sections 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.