

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: ADEDAYO FAPONLE, R.N.
License No.: 0001-192781

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on December 10, 2013, in Henrico County, Virginia, to inquire into evidence that Adedayo Faponle, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia. Mr. Faponle was present and was not represented by legal counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Adedayo Faponle, R.N., was issued License No. 0001-192781 to practice professional nursing in the Commonwealth of Virginia on September 21, 2004. Said license is valid in Virginia only and expires on October 31, 2014. Mr. Faponle also holds a professional nursing license in New York that is current. By Order of the Board entered June 29, 2011 (“Board’s Order”), the Board placed Mr. Faponle on probation, subject to certain terms and conditions, based on findings that two employers disciplined Mr. Faponle for poor nursing practice. By Order of the Board entered February 27, 2013, Mr. Faponle was issued a reprimand and continued on probation based on the Board’s finding that from July 2012 to February 2013 he worked as a professional nurse in Maryland without the permission of the Maryland Board of Nursing in violation of the Board’s Order. His declared state of residence is Virginia. At the informal conference, Mr. Faponle stated that he now resides in Maryland, but he did not provide evidence of his primary state of residence.

2. By letter dated November 8, 2013, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Mr. Faponle notifying him that an informal conference would be held on December 10, 2013. The Notice was sent by certified and first class mail to 8806 Golden Tree Lane, Baltimore, Maryland 21221, the address of record on file with the Board of Nursing.

3. Term No. 2 of the Board’s Order required Mr. Faponle to refrain from working outside the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written consent of the party state where he intended to work. Mr. Faponle worked as a professional nurse in Maryland from February 2013 to July 2013 without the permission of the Maryland Board of Nursing.

4. On October 24, 2012, Mr. Faponle had a settlement conference with the Maryland Board of Nursing for the purpose of obtaining permission to practice nursing in Maryland. The Maryland Board of Nursing did not render a decision in the matter. At the informal conference, Mr. Faponle submitted evidence that he tried to obtain a decision from the Maryland Board of Nursing.

5. Mr. Faponle was employed at Best Care Nursing and Residential, Inc., Pikeville, Maryland, from July 2012 to July 2013. Best Care Nursing and Residential, Inc., sent a letter that was received by the Board on July 8, 2013, that stated Mr. Faponle had been employed with the company as a nurse for one year and “has performed satisfactorily without any complaints.”

6. On July 26, 2013, Mr. Faponle submitted to the Board a petition to be released from the terms of the Board’s Order.

7. Mr. Faponle has substantially complied with the terms of the Board’s Order.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of Term No. 2 of the Board’s Order.

2. Mr. Faponle has otherwise demonstrated satisfactory evidence to warrant release from probation.

ORDER

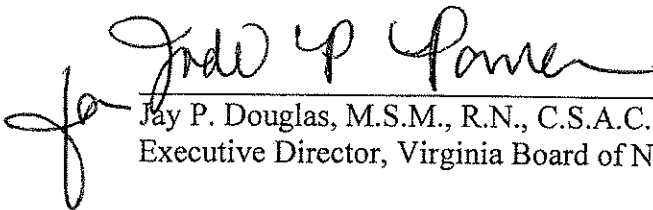
On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. The petition of Adedayo Faponle, R.N., for release from probation is hereby GRANTED and Mr. Faponle shall be issued an unrestricted license to practice professional nursing.
2. Mr. Faponle is hereby REPRIMANDED.
3. Mr. Faponle shall maintain a course of conduct in his capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

Pursuant to §§ 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 public record and shall be made available for public inspection or copying on request.

Pursuant to Section 54.1-2400(10) of the Code, Mr. Faponle may, not later than 5:00 p.m., on **January 29, 2014**, notify Jay P. Douglas, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that he 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 COMMITTEE:


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

ENTERED: December 27, 2013

This Order shall become final on **January 29, 2014**, unless a request for a formal administrative hearing is received as described above.