



RECEIVED  
MAY 09 2011

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

May 6, 2011

Nicole Renee Todd Hirt  
6031 Bingley Road  
Alexandria, VA 22315

CERTIFIED MAIL

**DUPLICATE COPY  
VIA FIRST CLASS MAIL**

RE: License No.: 0001-217328

DATE 5/6/11

Dear Ms. Hirt:

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 May 6, 2011. 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,

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

Enclosures  
Case # 138451





# 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 Final Order (with attachments) dated April 10, 2011, regarding Nicole Renee Todd Hirt, R.N., are true copies of the records received from the Florida State Board of Nursing.

Handwritten signature of Dianne L. Reynolds-Cane, M.D.

Date: \_\_\_\_\_

5-6-11

Dianne L. Reynolds-Cane, M.D.

STATE OF FLORIDA  
BOARD OF NURSING

By: [Signature]  
Deputy Agency Clerk

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2010-06631  
License No.: RN 9282209

NICOLE RENEE HIRT,

Respondent.

FINAL ORDER

THIS CAUSE came before the BOARD OF NURSING (Board) pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on April 7, 2011, in Ft. Lauderdale, 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

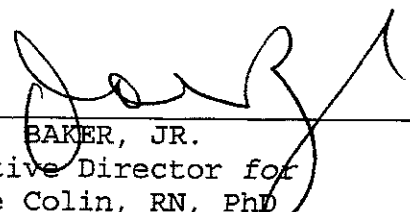
ORDERED AND ADJUDGED that the voluntary relinquishment is accepted as a resolution of this case.

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



DONE AND ORDERED this 10<sup>th</sup> day of April, 2011.

BOARD OF NURSING

  
\_\_\_\_\_  
JOE R. BAKER, JR.  
Executive Director for  
Jessie Colin, RN, PhD  
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 NICOLE RENEE HIRT, 6031 Bingley Road, Alexandria, VA 22315; 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, William Miller, Department of Health, 4052 Bald Cypress Way, Bin C-65, Tallahassee, Florida 32399-3265 this 12<sup>th</sup> day of April, 2011.

  
\_\_\_\_\_

**Deputy Agency Clerk**

CLERK *Sandra Soto*  
DATE *2/15/2011*

STATE OF FLORIDA  
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,  
Petitioner,

DOH Case No. 2010-06631

v.  
Nicole Renee Hirt, R.N.,  
Respondent.

VOLUNTARY RELINQUISHMENT OF LICENSE

Respondent Nicole Renee Hirt, R.N., license no. 9282209, 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 cause. 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 as disciplinary action. 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 the above-styled action. 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. Section 456.073(10) Florida Statutes.

4. Upon the Board's acceptance of this Voluntary Relinquishment, Respondent agrees to waive all rights to seek judicial review of, 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 matter.

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.

DATED this 10<sup>th</sup> day of February, 2011.

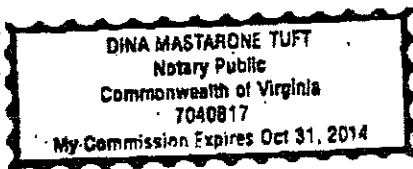
Nicole Renee Hirt  
Nicole Renee Hirt, R.N.

STATE OF Virginia  
COUNTY OF: Fairfax

Before me, personally appeared Nicole Renee Hirt, whose identity is known to me by Ohio Drivers License (type of identification) and who, under oath, acknowledges that his signature appears above. Sworn to and subscribed before me this 10<sup>th</sup> day of February, 2011.

Dina Matarone Tuft  
NOTARY PUBLIC

My Commission Expires: October 31, 2014





**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

**DEPARTMENT OF HEALTH,**

**PETITIONER,**

**v.**

**CASE NO. 2010-06631**

**NICOLE RENEE HIRT, 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, Nicole Renee Hirt, R.N., and in support thereof alleges:

1. Petitioner is the state department 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 licensed registered nurse (R.N.) within the state of Florida, having been issued license number RN 9282209.

3. Respondent's address of record is 443 Union Street, Columbiana, OH 44408.

4. Respondent's current address may be 6031 Bingley Road, Alexandria, VA 22315-4839.

5. The Ohio Board of Nursing is the licensing authority of the practice of nursing in the state of Ohio.

6. Respondent's Ohio nursing license is RN-286598.

7. On or about March 19, 2010, the Ohio Board of Nursing entered into a Consent Agreement with Respondent.

8. The Consent Agreement indefinitely suspended Respondent's license to practice as a registered nurse in Ohio.

9. Section 464.018(1)(b), Florida Statutes (2009), provides that having a license to practice nursing revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country constitutes grounds for disciplinary action.

10. Respondent had a license to practice nursing revoked, suspended, or otherwise acted against by the licensing authority of another state, territory, or country by having her Ohio nursing license indefinitely

suspended by the Ohio Board of Nursing when it entered into the Consent Agreement on or about March 19, 2010.

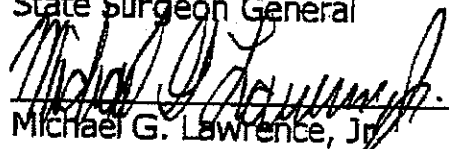
11. Based on the foregoing, Respondent violated Section 464.018(1)(b), Florida Statutes (2009), by having a license to practice nursing revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country.

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 26<sup>th</sup> day of August, 2010.

**FILED**  
DEPARTMENT OF HEALTH  
DEPUTY CLERK  
CLERK: Brandi Gray  
DATE 8-27-10

Ana M. Viamonte Rose, M.D., M.P.H.  
State Surgeon General

  
Michael G. Lawrence, Jr.  
Assistant General Counsel  
DOH Prosecution Services Unit  
4052 Bald Cypress Way, Bin C-65  
Tallahassee, Florida 32399-3265  
Florida Bar Number 0011265  
(850) 245 - 4640 Telephone  
(850) 245 - 4683 Facsimile

/MGL

PCP:  
PCP Members:

8/26/10

C. HORNE & S. BOWEN

## **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.**