

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: LEIGH ANN SABBAGH, R.N.
License No.: 0001-165367

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on October 21, 2013, in Henrico County, Virginia, to inquire into evidence that Leigh Ann Sabbagh, R.N., may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board entered on November 14, 2012. The case was presented by Cynthia E. Gaines, Adjudication Specialist, Administrative Proceedings Division. Charis Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Sabbagh was not present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Leigh Ann Sabbagh, R.N., was issued License No. 0001-165367 to practice professional nursing in the Commonwealth of Virginia on July 19, 1999. Said license was indefinitely suspended, with the suspension stayed contingent upon Ms. Sabbagh's compliance with the Order of the Board entered November 14, 2012 ("Board's Order"). On March 22, 2013, the Board indefinitely suspended Ms. Sabbagh's license due to her failure to comply with the terms and conditions of the Board's Order. Ms. Sabbagh, at that time, listed Virginia as her primary state of residence.

2. Based upon the representations of Cynthia E. Gaines, Adjudication Specialist, and

Commonwealth's Exhibit No. 1, the Notice of Formal Hearing and Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in her absence.

3. Term 5(a) of the Board's Order required Ms. Sabbagh to comply with all terms and conditions imposed on her by the Health Practitioners' Monitoring Program ("HPMP") for the period specified by the HPMP. On March 12, 2013, Ms. Sabbagh was dismissed from the HPMP for non-compliance with her contract. Specifically, between March 22, 2012, and February 19, 2013, Ms. Sabbagh failed to call the urine drug screen test line 48 times, failed to test when selected eight times, submitted two diluted screens, and had a positive screen for alcohol on December 27, 2012.

4. On December 11, 2012, Ms. Sabbagh was convicted of petit larceny in the Winchester, Virginia, Circuit Court.

5. Ms. Sabbagh is unsafe to practice as a professional nurse due to substance abuse, as evidenced by her pleading guilty to and being convicted of inhaling drugs in the Winchester, Virginia, Circuit Court, on April 8, 2013, and by her dismissal from HPMP.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 3 constitute a violation of Term 5(a) of the Board's Order entered November 14, 2012.
2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(4) of the Code.
3. Finding of Fact No. 5 Constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. License No. 0001-165367 issued to Leigh Ann Sabbagh to practice professional nursing in the

Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED for a period of not less than two years.

2. The license of Ms. Sabbagh will be recorded as SUSPENDED. Should Ms. Sabbagh seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license prior to issuance of her license to resume practice.

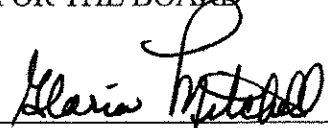
3. At such time as Ms. Sabbagh shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of professional nursing.

4. Ms. Sabbagh is hereby REPRIMANDED.

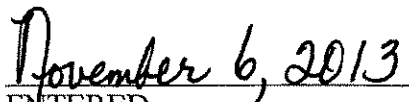
5. This Order shall be applicable to Ms. Sabbagh's multistate licensure privileges, if any, to practice professional nursing.

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.

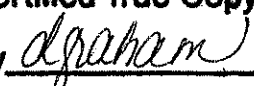
FOR THE BOARD



for Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing



ENTERED

Certified True Copy
By 

Virginia Board of Nursing

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.