

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:**

**RUSSELL CUMMINGS, R.N.**

**CONSENT ORDER**

The Virginia Board of Nursing ("Board") and Russell Cummings, R.N., as evidenced by his signature hereto, enter into the following Consent Order affecting Mr. Cummings' license to practice professional nursing.

**FINDINGS OF FACT**

1. Russell Cummings, R.N., was issued License No. 0001-208967 to practice professional nursing by the Virginia Board of Nursing on August 24, 2007. Said license is set to expire on May 31, 2009.
2. On May 11, 2007, Mr. Cummings graduated from Jefferson College with an Associates degree in science. On June 18, 2007, he was hired as a Registered Nurse Applicant at Carilion Roanoke Memorial Hospital ("Carilion"), Roanoke, Virginia. From August 13, 2007 through August 21, 2007, Mr. Cummings practiced professional nursing at Carilion without a license as he did not take the NCLEX-RN examination until August 23, 2007.

**CONCLUSIONS OF LAW**

Finding of Fact #2 constitutes a violation of §§ 54.1-3007(3) and 54.1-3008(A)(2) of the Code of Virginia (1950), as amended ("Code"), and 18 VAC 90-20-190(G)(1) of the Board of Nursing Regulations.

**CONSENT**

Russell Cummings, R.N., by affixing his signature hereon, agrees to the following:

1. He has been advised to seek advice of counsel prior to signing this document;
2. He acknowledges that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;

3. He acknowledges that he has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against him;
4. He waives all such right to an informal conference;
5. He admits to the Findings of Fact contained herein and waives his right to contest such Findings of Fact in any subsequent proceeding before the Board;
6. He consents to the entry of the following Order affecting his right to practice professional nursing in Virginia.


**ORDER**

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. Russell Cummings, R.N., shall pay a MONETARY PENALTY of One Hundred dollars (\$100) to the Board within 60 days of the entry of this Order.
2. Russell Cummings, R.N., 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 upon request.

FOR THE BOARD

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

ENTERED: July 3<sup>RD</sup>, 2008

SEEN AND AGREED TO:

Russell Cummings, R.N.  
Russell Cummings, R.N.

COMMONWEALTH OF VIRGINIA,  
COUNTY ~~CITY~~ OF Roanoke, TO WIT:

Subscribed and sworn to before me, Judie S. Snipes, a Notary Public, this 1<sup>st</sup> day of July, 2008.

My commission expires 2/28/2010.

Registration Number 294841.

Judie S. Snipes  
NOTARY PUBLIC

