

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: CATHY BENNETT, L.P.N. REINSTATEMENT APPLICANT**  
**License No.: 0002-051194**

**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 September 16, 2015, in Henrico County, Virginia, to receive and act upon Ms. Bennett's application for reinstatement of her license to practice practical nursing in Virginia which was mandatorily suspended by an Order of the Department of Health Professions entered on September 9, 2013, and to inquire into evidence that Cathy Bennett, L.P.N., may have violated certain laws and regulations governing nursing practice in Virginia. The case was presented by Wendy Deaner, Adjudication Specialist, Administrative Proceedings Division. James Rutkowski, Assistant Attorney General, was present as legal counsel for the Board. Ms. Bennett was 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. Cathy Bennett, L.P.N., was issued License No. 0002-051194 to practice practical nursing in the Commonwealth of Virginia on June 1, 1995. Said license was mandatorily suspended by an Order of the Department of Health Professions entered September 9, 2013. Ms. Bennett's primary state of residence is Virginia.
2. On August 13, 2013, Ms. Bennett pled guilty to and was convicted of one count of felony conspiracy to solicit murder in the Franklin County, Virginia, Circuit Court. At her sentencing on October

17, 2013, Ms. Bennett was sentenced to a period of five years incarceration with the Virginia Department of Corrections, with three years and six months suspended. She was placed on supervised probation for a period of four years with eight years of good behavior.

### CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 2 constitutes a violation of §54.1-3007(4) of the Code.

### ORDER

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


1. The application of Cathy Bennett for reinstatement of License No. 0002-051194 to practice practical nursing in the Commonwealth of Virginia is hereby DENIED, due to a failure to obtain the affirmative vote for reinstatement of three-fourths of the members of the Board at the hearing. Further, it is hereby ORDERED that the license of Ms. Bennett be CONTINUED on INDEFINITE SUSPENSION. At such time as she 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 practical nursing.

2. The license shall be recorded as suspended.

3. This Order shall be applicable to Ms. Bennett's multistate licensure privileges, if any, to practice practical nursing in the Commonwealth of Virginia.

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

  
\_\_\_\_\_  
Ss Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director  
Virginia Board of Nursing

September 30, 2015  
ENTERED

**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, MSM, RN, CSAC, FRE, 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.

Certified True Copy

By   
\_\_\_\_\_  
Virginia Board Of Nursing