

VIRGINIA:

BEFORE THE BOARD OF NURSING

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

NOTICE OF HEARING

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), Cathy Bennett, who, prior to its mandatory suspension by the Board of Nursing on September 9, 2013, held License No. 0002-051194 to practice practical nursing in Virginia, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on September 16, 2015 at 1:00 p.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Ms. Bennett will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Bennett has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. Bennett desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to inquire into evidence that Cathy Bennett may have violated certain laws and regulations governing nursing practice in Virginia and 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 Order of the Board entered on September 9, 2013, as more fully set forth in the Statement of Particulars below.

The burden rests upon Ms. Bennett, as the petitioner, to demonstrate that she is capable of resuming the safe and competent practice of practical nursing in Virginia.


Pursuant to § 54.1-2409 of the Code, reinstatement of Ms. Bennett's license requires the affirmative vote of three-fourths of the members of the Board in attendance at the hearing.

STATEMENT OF PARTICULARS

The Board alleges that:

1. Cathy Bennett, may have violated §54.1-3007(4) of the Code in that on or about 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.
2. Ms. Bennett may have violated §54.1-3007(1) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing in that on her application for reinstatement of her license, Ms. Bennett failed to provide a complete list of her employers following suspension of her license. Ms. Bennett failed to list a private duty sitter position she held beginning in February 2015.

FOR THE BOARD



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

ENTERED: August 21, 2015