

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: DEBRA A. ABEL, L.P.N.
License No.: 0002-024951

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on April 18, 2013, in Henrico County, Virginia. Ms. Abel was not present nor was she represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On July 16, 2013, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Abel was not present nor was she represented by legal counsel. Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Debra A. Abel, L.P.N., was issued License No. 0002-024951 to practice practical nursing in Virginia on May 22, 1978. The license expired on February 28, 2013. Her primary state of residence is Virginia.
2. By letter dated March 22, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Abel notifying her that an informal conference would be held on April 18, 2013. The Notice was sent by certified and first class mail to 2221 Cowan Blvd. Apt. 53A, Fredericksburg, VA, 22401, the address of record on file with the Board of Nursing. The certified mail receipt was signed by Ms. Abel. The Agency Subordinate concluded that adequate notice was provided to

Ms. Abel, and the informal conference proceeded in her absence.

3. A Consent Order entered July 21, 2008 (“Board’s Order”), provided that the Board would take no action against Ms. Abel’s license contingent upon Ms. Abel’s compliance with all terms and conditions of her Recovery Monitoring Contract with the Health Practitioners’ Monitoring Program (“HPMP”). This Order was based on Ms. Abel’s admission that she had a problem with prescription pain medication and had taken approximately 10-15 Lorcet (hydrocodone and acetaminophen, schedule III) and 10 Tramadol per day.

4. Ms. Abel had entered the HPMP on August 14, 2007, but was dismissed on July 20, 2012, due to a continued pattern of noncompliance, including failure to submit required reports and medical documentation for prescribed narcotics.

5. Ms. Abel is unable to safely practice practical nursing due to mental illness and multiple chronic medical conditions, including bipolar disorder, anxiety and tardive dyskinesia. On August 6, 2012, Ms. Abel’s psychiatrist told the Investigator from the Department of Health Professions that “because of chronic conditions Ms. Abel will never be able to practice safely as a nurse.”

6. Ms. Abel’s current employment status is unknown.

CONCLUSIONS OF LAW

1. Finding of Fact #4 constitutes a violation of § 54.1-3007(6) of the Code and Term No. 2 of the Board’s Order.

2. Finding of Fact #5 constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Debra A. Abel, L.P.N., is hereby REPRIMANDED.

2. The right of Debra A. Abel to renew her license to practice practical nursing is

INDEFINITELY SUSPENDED.

3. The license will be recorded as suspended and no longer current.

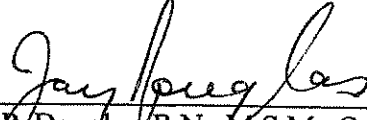
4. At such time as Ms. Abel shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of practical nursing. Ms. Abel shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.

5. This suspension applies to any multistate privilege to practice practical nursing.

Pursuant to § 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 a public record, and shall be made available for public inspection and copying upon request.

Since Ms. Abel failed to appear at the informal conference, this Order shall be considered final. Ms. Abel has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Abel has thirty (30) days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within 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, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

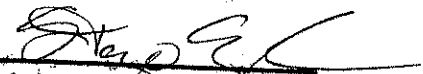
FOR THE BOARD



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

Entered: August 6TH, 2013

Certified True Copy

By 
Virginia Board of Nursing