

Certified True Copy

By 
Virginia Board of Nursing



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JUL 15 2013

VA BD OF NURSING

COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.
Director

Department of Health Professions

Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367- 4400
FAX (804) 527- 4475

July 11, 2013

Stephanie M. Linville
5011 Faircloth Street
Pace, FL 32571

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL

DATE 7/11/13

RE: License No.: 0001-209951

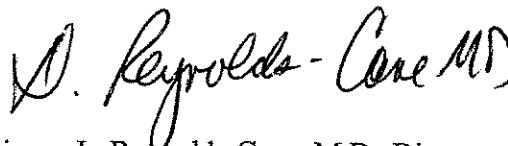
Dear Ms. Linville:

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your license to practice nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered July 11, 2013. You are hereby advised that, pursuant to Section 54.1-2409.1 of the Code, any person who practices a profession or occupation after having their license or certificate to do so suspended shall be guilty of a felony. Please return your license to Jay P. Douglas, Executive Director of the Virginia Board of Nursing, at the above address, immediately upon receipt of this letter.

Section 54.1-2409 of the Code further provides that you may apply to the Board of Nursing ("Board") for reinstatement of your license, and shall be entitled to a hearing not later than the next regular meeting of the Board after the expiration of sixty days from the receipt of such reinstatement application. You have the following rights, among others: to be represented by legal counsel, to have witnesses subpoenaed on your behalf, to present documentary evidence and to cross-examine adverse witnesses. The reinstatement of your license shall require the affirmative vote of three-fourths of the members present of the Board of Nursing.

Should you wish to petition the Board of Nursing for reinstatement of your license, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4599.

Sincerely,



Dianne L. Reynolds-Cane, M.D., Director
Department of Health Professions

Enclosures
Case # 151218

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: STEPHANIE M. LINVILLE, R.N.
License No.: 0001-209951

ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Dianne L. Reynolds-Cane, M.D., Director of the Virginia Department of Health Professions, received and acted upon evidence that the license of Stephanie M. Linville, R.N., to practice nursing in the State of Tennessee was suspended by a Consent Order dated May 8, 2013. A certified copy of the Consent Order is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the license of Stephanie M. Linville, R.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Stephanie M. Linville, R.N., will be recorded as suspended and no longer current. Should Ms. Linville seek reinstatement of her license pursuant to Section 54.1-2409 of the Code, she shall be responsible for any fees that may be required for the reinstatement and renewal of her license prior to issuance of her license to resume practice.

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



Dianne L. Reynolds-Cane, M.D., Director
Department of Health Professions

ENTERED: 7-11-13



COMMONWEALTH of VIRGINIA

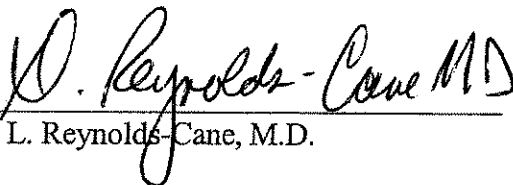
Dianne L. Reynolds-Cane, M.D.
Director

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CERTIFICATION OF DUPLICATE RECORDS

I, Dianne L. Reynolds-Cane, M.D., Director of the Department of Health Professions, hereby certify that the attached Consent Order dated May 8, 2013, regarding Stephanie M. Linville, R.N., is a true copy of the records received from the Tennessee Board of Nursing.



Dianne L. Reynolds-Cane, M.D.

Date: 7-11-13

BEFORE THE TENNESSEE BOARD OF NURSING

In The Matter of:

STEPHANIE LINVILLE,
R.N. License No. 171432,

Respondent.

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Case No. 2012008281

CONSENT ORDER

The State of Tennessee, by and through the Office of General Counsel and the Respondent, Stephanie Linville, R.N., (Respondent), hereby stipulate and agree, subject to approval by the Tennessee Board of Nursing (Board), to the following:

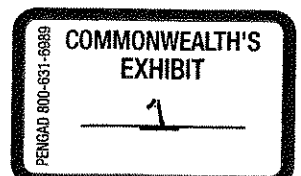
I. Authority and Jurisdiction

The Board regulates and supervises nurses licensed to practice pursuant to Tennessee Code Annotated Section (TENN. CODE ANN. §) 63-7-101, *et seq.* (Code), including the discipline of licensees, as well as those who are required to be licensed, who violate the Code and the Rules promulgated by the Board, Official Compilation of Rules and Regulations of the State of Tennessee (TENN. COMP. R. & REGS.), 1000-01-.01, *et seq.* (Rules). The Board enforces the Code and Rules to promote and protect the health, safety and welfare of the public; accordingly, it is the policy of the Board to require strict compliance with the law and to apply the law to preserve the quality of nursing care provided in Tennessee.

II. Stipulations of Fact

1. Respondent has been at all times pertinent hereto licensed by the Board as a registered nurse in the State of Tennessee, having been granted license number 171432 on January 14, 2010. This license currently has an expiration date of September 30, 2014. Respondent's registered nurse license is active and currently valid only in the State of Tennessee.

2. Respondent has been at all times pertinent hereto licensed by the Florida Board of



Nursing as a registered nurse, having been granted license number RN9216909 on June 1, 2004. This license currently has an expiration date of April 30, 2014.

3. On October 11, 2012 Respondent entered into a settlement agreement and order with the Florida Board of Nursing in which her license was suspended until she submitted to an evaluation for the Florida Intervention Project for Nurses (IPN), at which time the suspension would be stayed as long as Respondent remains compliant with the IPN requirements. In addition, the Respondent was ordered to pay a fine in the amount of two hundred fifty dollars (\$250.00), to pay costs not to exceed two thousand six hundred seventy-nine dollars and ninety-one cents (\$2,679.91), and to complete eight (8) extra hours of continuing education on legal issues and ethics.

4. The underlying ground for the Florida order was an allegation of a positive drug screen at Respondent's place of employment. Respondent neither admitted nor denied the factual basis of these allegations, but admitted that if the allegation was proven, it would constitute a violation of the Florida nursing laws. This violation, if proven, would also violate the Tennessee Nursing Practice Act.

5. Respondent currently lives in Florida and her Florida license is active, but with obligations/conditions.

III. Stipulated Grounds for Discipline

6. The Stipulations of Fact are sufficient to establish that Respondent has violated the following statutes or rules, for which disciplinary action by the Board is authorized, TENN. CODE ANN. § 63-7-101, *et seq.* and TENN. COMP. R. & REGS., 1000-01-.01, *et seq.*

7. The discipline of Respondent's Florida license constitutes a violation of TENN. CODE ANN. § 63-1-120(a)(1)(D), which allows the Board to:

(D) Otherwise discipline a holder of a license, certificate, permit or authorization, if the

applicant, licensee or certificate or permit holder has been disciplined by another state of the United States for any acts or omissions that would constitute grounds for discipline of a person licensed, certified, permitted or authorized in this state.

8. The facts stipulated in paragraphs three (3) and four (4) constitute a violation of TENN. CODE ANN. § 63-7-115(a)(1):

(F) Is guilty of unprofessional conduct.

9. Unprofessional conduct is defined in Rule 1000-01-.13(1) of the TENN. COMP. R. & REGS as including but not limited to:

(g) Being under the influence of alcoholic beverages, or under the influence of drugs which impair judgment while on duty in any health care facility, school, institution or other work place location.

(j) Revocation, suspension, probation or other discipline of a license to practice nursing by another state or territory of the United States for any act or omission which would constitute grounds for the revocation, suspension, probation or other discipline of a license in this state.

IV. Stipulated Disposition

10. Each condition of discipline herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

11. For the purpose of avoiding further administrative action with respect to this cause, Respondent agrees to have her license to practice nursing in the State of Tennessee and the multistate privilege to practice in any other party state **SUSPENDED**, beginning the effective date of this Order.

12. The suspension will be lifted when Respondent provides proof to the Tennessee Board of Nursing that she has completed the Florida IPN program and that her Florida license is active

with no obligations or conditions upon it. This proof must take the form of a certified document from the Florida Board of Nursing and must be submitted in writing to the disciplinary coordinator at the following address:

Office of Investigations
Attn: Disciplinary Coordinator
Tennessee Department of Health
227 French Landing, Suite 201
Nashville, Tennessee 37243

13. If, prior to removal of all obligations and conditions from Respondent's Florida nursing license, Respondent wishes to relocate to and practice nursing in Tennessee, she may apply to the Board to have the suspension of her license lifted. Upon receipt by the Board of Nursing staff of a written application to have the suspension lifted, the applicant will be invited to appear before the Board's Application Review Committee. The committee will make a recommendation to the Board as to under what terms and conditions, if any, the suspension of Respondent's Tennessee license should be lifted.

V. Representations of Respondent

14. Respondent understands and admits the allegations, charges, and stipulations in this Order.

15. Respondent agrees that she has not received any threats or promises of any kind by the State or any agent or representative thereof, except such as is detailed herein.

16. Respondent understands the rights found in the Code, Rules, and the Uniform Administrative Procedures Act, TENN. CODE ANN. §§ 4-5-101 thru 4-5-404, including the right to a hearing, the right to appear personally and by legal counsel, the right to confront and to cross-examine witnesses who would testify against Respondent, the right to testify and to present evidence on Respondent's own behalf, as well as to the issuance of subpoenas to compel the

attendance of witnesses and the production of documents, as well as the right to appeal for judicial review. Respondent voluntarily waives these rights in order to avoid further administrative action.

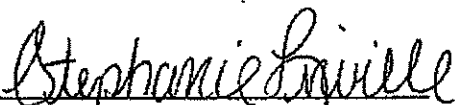
17. Respondent agrees that presentation of this Order to the Board and the Board's consideration of it and all matters divulged during that process shall not constitute unfair disclosure such that the Board or any of its members become prejudiced requiring their disqualification from hearing this matter should this Order not be ratified. All matters, admissions, and statements disclosed during the attempted ratification process shall not be used against the Respondent in any subsequent proceeding unless independently entered into evidence or introduced as admissions.

18. Respondent also agrees that the Board may issue this Order without further process. If the Board rejects this Order for any reason, it will be of no force or effect for either party.


VI. Notice

19. This suspension is a formal disciplinary action and will be reported to the Health Integrity and Protection Data Bank (HIPD).

APPROVED FOR ENTRY:


Stephanie Linville
R.N. License No. 171432
Respondent

2/27/13
DATE


Johanna L. Barde (BPR # 030445)
Assistant General Counsel
Tennessee Department of Health
Office of General Counsel
220 Athens Way, Suite 210
Nashville, Tennessee 37243
(615) 741-1611

5/8/13
DATE

Approval by the Board

Upon the agreement of the parties and the record as a whole, this **CONSENT ORDER** was approved as a **FINAL ORDER** by a majority of a quorum of the Tennessee Board of Nursing at a public meeting of the Board and signed this 8th day of May, 2013.

ACCORDINGLY, IT IS ORDERED that the agreements of the parties will, and hereby do, become the Final Order of the Board.



Chairperson/Acting Chairperson
Tennessee Board of Nursing

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document has been served upon the Respondent, Stephanie Linville, at 4919 Bell Ridge Lane, Apt. #101, Pace FL 32571, by delivering same in the United States regular mail and United States certified mail, number 7012 1642 0002 3922 0623 return receipt requested, with sufficient postage thereon to reach its destination.

This _____ day of May, 2013.



Johanna L. Barde
Assistant General Counsel