

AUG 13 2015
DHP
AUG 13 2015
DHP

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: ELLEN S. NUNBERG, L.P.N. REINSTATEMENT APPLICANT
License No.: 0002-056358

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Ellen S. Nunberg, as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Nunberg's application for reinstatement of her license to practice practical nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Ellen S. Nunberg was issued License No. 0002-056358 to practice practical nursing by the Virginia Board of Nursing on June 4, 1998. Said license expired on April 30, 2013. Her primary state of residence is Virginia.
2. Ms. Nunberg submitted an application for reinstatement of her license which was received by the Board on June 30, 2015
3. On December 4, 2014, Ms. Nunberg was convicted in the General District Court of Albemarle County, Virginia, of one count of petit larceny, a misdemeanor involving moral turpitude. She was sentenced to 30 days incarceration with all time suspended and ordered to pay fines and costs.
4. Ms. Nunberg paid all fines and costs on December 19, 2014.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 2 constitutes a violation of §§ 54.1-3007(4) of the Code of Virginia (1950), as amended ("Code").

2. Ms. Nunberg otherwise meets the requirements of § 54.1-3011(B) of the Code and 18 VAC 90-20-230(B) of the Regulations Governing the Practice of Nursing.

CONSENT

Ellen S. Nunberg, by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she 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 her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her application for reinstatement of her license to practice as a practical nurse in Virginia.

ORDER

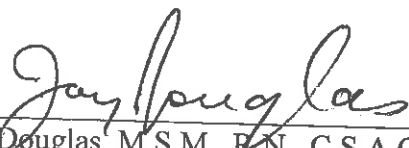
WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. The application of Ellen S. Nunberg for reinstatement of her license to practice as a practical nurse is hereby APPROVED. Ms. Nunberg shall be issued an unrestricted license to practice as a practical nurse in the Commonwealth of Virginia.
2. Ms. Nunberg is hereby REPRIMANDED.

3. Ms. Nunberg shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

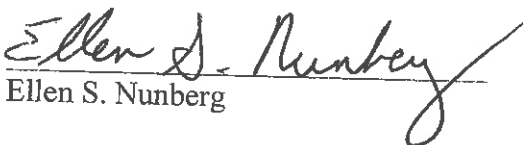
Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying upon request.

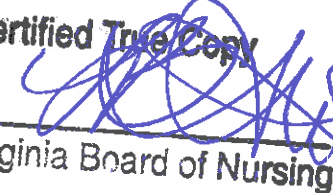
FOR THE BOARD


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

ENTERED: August 19th, 2015

SEEN AND AGREED TO:


Ellen S. Nunberg

Certified True Copy
By 
Virginia Board of Nursing

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Madison, TO WIT:

Subscribed and sworn to before me, Nancy Stanley, a Notary Public, this 9th day of August, 2015.

My commission expires July 31st, 2017.

Registration Number #295395


NOTARY PUBLIC

**NANCY J. STANLEY
NOTARY PUBLIC
THE STATE OF VIRGINIA
NO. 295395**