

## BEFORE THE VIRGINIA BOARD OF NURSING

**IN RE: VIRGINIA BURCHAM MIILU, R.N.**  
**License Number: 0001-138014**  
**Case Numbers: 159451, 179677**

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**CONSENT ORDER**

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**JURISDICTION AND PROCEDURAL HISTORY**

The Virginia Board of Nursing ("Board") and Virginia Burcham Miilu, R.N., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Ms. Miilu's license to practice professional nursing in the Commonwealth of Virginia.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. Virginia Burcham Miilu, R.N., was issued License Number 0001-138014 to practice professional nursing on June 14, 1994, which is scheduled to expire on June 30, 2018. Her primary state of residence is Virginia.
2. During the course of her employment with Carilion Home Health, Bedford, Virginia, on September 8, 2014, Ms. Miilu was placed on a performance improvement plan due to absenteeism and was referred to the Employee Assistance Program for counseling. On September 15, 2014, Ms. Miilu failed to follow procedures to report that she would not be at work. When contacted, her speech was slurred and fragmented and she repeatedly stated that she was unable to care for herself. On September 16, 2014, Ms. Miilu was a no call/no show. She subsequently notified management that she was jailed overnight for public intoxication. In October 2014, she resigned employment.
3. Ms. Miilu violated Virginia Code § 54.1-3007(6) in that:
  - a. On October 16, 2014, in the General District Court of Roanoke County, Virginia, she was convicted of public intoxication and was fined \$25.00 plus court costs, which were paid in full.

b. On October 10, 2014, Ms. Miilu entered a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP"), and on November 3, 2014, she entered Recovery Monitoring Contract #1, acknowledging that alcohol and/or substance use disorder and/or mental illness and/or physical illness may impair her ability to safely practice. On February 18, 2015, during an interview with a Department of Health Professions investigator, Ms. Miilu reported being diagnosed with bipolar disorder.

4. On June 15, 2015, Ms. Miilu received a stay of disciplinary action regarding the above-referenced actions.

5. Ms. Miilu violated Virginia Code § 54.1-3007(6) in that on February 13, 2017, she tested positive for EtG/EtS. On February 21, 2017, the HPMP conducted a phosphatidyl ethanol (PEth) test which was also positive.

6. Ms. Miilu denied any consumption of alcohol and by letter dated March 8, 2017, voluntarily surrendered her license to the Board.

7. On March 15, 2017, the stay of disciplinary action was vacated and Ms. Miilu was dismissed from the HPMP due to her ineligibility, following the surrender of her license.

8. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Miilu's health records or health services.

### CONSENT

Virginia Burcham Miilu, R.N., by affixing her signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;

3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;

4. I waive my right to an informal conference;

5. I admit to the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;

6. I consent to the entry of the following Order affecting my licensure to practice professional nursing in the Commonwealth of Virginia.

### ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. The Board accepts the VOLUNTARY SURRENDER for INDEFINITE SUSPENSION of Virginia Burcham Miilu's license to practice professional nursing in the Commonwealth of Virginia.
2. The license of Ms. Miilu will be recorded as SUSPENDED.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. Should Ms. Miilu seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Miilu to demonstrate that she is safe and competent to return to the practice of professional nursing. Ms. Miilu shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, 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.

FOR THE BOARD

*for* *Louise Oerskocent*  
Joyce A. Hahn, PhD, RN, NEA-BC, FNAP  
President  
Virginia Board of Nursing

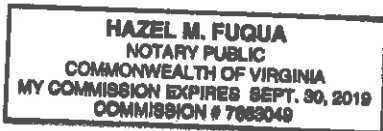
ENTERED: 9/14/17

SEEN AND AGREED TO:

*Virginia Burcham Miilu, RN*  
Virginia Burcham Miilu, R.N.

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

Subscribed and sworn to before me, a notary public in and for the Commonwealth of Virginia at large,  
on this 16<sup>th</sup> day of Sept., 2017.



*Hazel M. Fuqua*  
Notary Public

My commission expires: Sept. 30, 2019

Registration No.: 766 3049

Certified True Copy  
By *[Signature]*  
Virginia Board of Nursing