

BEFORE THE VIRGINIA BOARD OF NURSING

RECEIVED

OCT 04 2017

VA BD OF NURSING

IN RE: DEBRA SMATHERS, R.N.  
REINSTATEMENT APPLICANT  
License Number: 0001-240688  
Case Number: 179543

---

CONSENT ORDER

---

JURISDICTION AND PROCEDURAL HISTORY

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Debra Smathers, R.N., was issued License Number 0001-240688 to practice professional nursing on September 14, 2012, which expired on October 31, 2014.
2. Ms. Smather submitted an application for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia on January 25, 2017. Ms. Smathers declared Florida as her primary state of residence.
2. Ms. Smathers violated Virginia Code § 54.1-3007(1) and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing, (currently found at 18 VAC 90-19-230(A)(1)(b) effective February 24, 2017), in that on her application for licensure to practice professional nursing received by the Board on January 25, 2017, she answered "NO" to the question "Have you ever been convicted, pled guilty to or pled Nolo Contendere to the violation of any federal, state or other statute or ordinance constituting a felony or misdemeanor?" when, in fact, on February 9, 1982, Ms. Smathers was convicted of theft of services in the Commonwealth of Kentucky, Court of Justice, Rowan County Circuit Court.

3. Ms. Smathers otherwise meets the requirements for reinstatement of her license to practice professional nursing.

### CONSENT

Debra Smathers, 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 reinstatement application for 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. Debra Smathers, R.N., is REPRIMANDED.
2. The application of Ms. Smathers for reinstatement of her license to practice professional nursing is APPROVED. Ms. Smathers shall be issued an unrestricted license.
3. Ms. Smathers shall comply with all laws and regulations governing the practice of nursing in the Commonwealth of Virginia.

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

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

ENTERED: October 11<sup>th</sup>, 2017

SEEN AND AGREED TO:

Debra Smathers  
Debra Smathers, R.N.

COMMONWEALTH OF ~~VIRGINIA~~ Florida  
COUNTY/CITY OF Manatee / Bradenton TO WIT:

Subscribed and sworn to me, a notary public in and for the Commonwealth of ~~Virginia~~ Florida at large, on this 2nd day of October, 2017.



Jacqueline LaTona  
State of Florida  
My Commission Expires 04/20/2018  
Commission No. FF 176690

Jacqueline LaTona  
Notary Public

My commission expires: 04/20/2018

Registration No.: FF176690