

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: DAVID ADAM ROBERTS, R.N.
License Number: 0001-200085
Case Number: 174121

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), a Special Conference Committee of the Virginia Board of Nursing (“Board”) held an informal conference on February 9, 2017, in Henrico County, Virginia, to inquire into evidence that David Adam Roberts, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

David Adam Roberts, R.N., appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated January 11, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Mr. Roberts notifying him that an informal conference would be held on February 9, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. David Adam Roberts, R.N., was issued License Number 0001-200085 to practice professional nursing on February 24, 2006, which is scheduled to expire on December 31, 2017. At all times relevant to the findings contained herein, said license was current and active. His primary state of residence is Virginia.

2. During the course of his employment with CJW Medical Center- Chippenham Hospital, Richmond, Virginia, on May 9, 2016, Mr. Roberts violated Virginia Code § 54.1-3007(5) and (6) in that he was observed by coworkers acting erratically, was sweaty with pinpoint pupils, slurred his speech, and appeared disheveled.

3. At the informal conference Mr. Roberts admitted to Finding of Fact No. 2(a), but stated that he had just received bad personal information at work and that his appearance and actions were due to this and not any drug use or diversion. He also stated that he attempted to speak to his supervisor about the situation, but admitted he should have been more forceful about asking to leave work.

3. During the course of his employment with CJW Medical Center- Chippenham Hospital, on May 9, 2016, Mr. Roberts violated Virginia Code § 54.1-3007(2) and (5) and 18 VAC 90-20-300(A)(2)(e) of the Regulations Governing the Practice of Nursing in that, by his own admission, he withdrew medication using another nurse's login credentials.

4. At the informal conference, Mr. Roberts stated that the other nurse had given him permission to use his login credentials. Mr. Roberts admitted that this was a mistake and that he has learned his lesson.

ORDER

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


1. David Adam Roberts, R.N., is REPRIMANDED.
2. Within 90 days from the date of entry of this Order, Mr. Roberts shall provide written proof satisfactory to the Board of successful completion of the following NCSBN course: *Professional Accountability & Legal Liability for Nurses*. Continuing education obtained through compliance with this term shall not be used toward licensure renewal.

3. Mr. Roberts shall comply with all laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

4. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of professional nursing shall constitute grounds for further disciplinary action.

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

Certified True Copy

By 

Virginia Board of Nursing

ENTERED AND MAILED:

February 23RD, 2017

NOTICE OF RIGHT TO APPEAL

Pursuant to Virginia Code § 54.1-2400(10), Mr. Roberts may, not later than 5:00 p.m., on March 28, 2017, notify Jay Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that he desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated. This Order shall become final on March 28, 2017, unless a request for a formal administrative hearing is received as described above.