

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: JEFFREY PATRICK ROBERTSON, R.N.
License Number: 0001-260363
Issue Date: July 27, 2015
Expiration Date: February 28, 2017
Case Number: 173272

**NOTICE OF INFORMAL CONFERENCE
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that an Informal Conference has been scheduled before the Board of Nursing ("Board") regarding your license to practice professional nursing in the Commonwealth of Virginia.

TYPE OF PROCEEDING:	This is an informal conference before a Special Conference Committee ("Committee") of the Board.
DATE AND TIME:	October 18, 2016 9:00 A.M.
PLACE:	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd Floor - Virginia Conference Center Henrico, Virginia 23233

LEGAL AUTHORITY AND JURISDICTION:

1. This informal conference is being held pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. At the conclusion of the proceeding, the Committee is authorized to take any of the following actions:

- Exonerate you;
- Reprimand you;
- Require you to pay a monetary penalty;
- Place you on probation and/or under terms and conditions;
- Refer the matter to the Board of Nursing for a formal administrative hearing;
- Offer you a consent order for suspension or revocation of your license in lieu of a formal hearing.

ABSENCE OF RESPONDENT AND RESPONDENT'S COUNSEL:

If you fail to appear at the informal conference, the Committee may proceed to hear this matter in your absence and may take any of the actions outlined above.

RESPONDENT'S LEGAL RIGHTS:

You have the right to the information on which the Committee will rely in making its decision, to be represented by counsel at this proceeding, to subpoena witnesses and/or documents, and to present relevant evidence on your behalf.

INFORMAL CONFERENCE MATERIALS:

Enclosed is a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

FILING DEADLINES:

1. Deadline for filing materials: October 11, 2016. Submit 5 copies of all documents you want the Board to consider to Dawnyel Towles, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.

2. Deadline for filing motions, including requests for continuance or objections to exhibits, in writing, to Dawnyel Towles at the above address: October 11, 2016. NOTE: Failure to object to the distribution prior to the proceeding will not affect your right to contest any information contained in these documents at the proceeding.

REQUEST FOR A CONTINUANCE

Absent exigent circumstances, such as personal or family illness, a request for a continuance after **October 11, 2016**, will not be considered. If you obtain counsel, you should do so as soon as possible, as a motion for a continuance due to the unavailability of counsel will not be considered unless received by **October 11, 2016**.

STATEMENT OF ALLEGATIONS

The Board alleges that:

1. At all times relevant hereto, Jeffrey Patrick Robertson, R.N., was licensed to practice professional nursing in the Commonwealth of Virginia.

2. Jeffrey Patrick Robertson, R.N., violated Virginia Code § 54.1-3007(2), (5), and (6) and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing in that during the course of his employment with the Barry Robinson Center, Norfolk, Virginia, in or about April 2016, he diverted dextroamphetamine-amphetamine (C-II) caplets of various strengths from resident supplies and tampered with the blister pack cards in an effort to conceal the diversion. In addition, he removed the blister pack cards from the facility dormitories and placed them in the nurse's office in the education building in a further effort to conceal the diversion.

3. Mr. Robertson violated Virginia Code § 54.1-3007(6) in that he is unsafe to practice due to his admitted longstanding addiction to opiates, for which he is receiving treatment and medication.

4. Mr. Robertson violated Virginia Code § 54.1-3007(1) and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing ("Regulations") in that on his application for licensure to practice professional nursing in Virginia, dated March 31, 2015:

a. He answered "no" to the question asking if he had a mental, physical, or chemical dependency condition that could interfere with his current ability to practice nursing; however, he had received inpatient treatment and was receiving outpatient treatment for his admitted addiction to opiates.

b. He answered "no" to the question asking if he had 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, he had been convicted of trespassing to fish or hunt


in the Virginia Beach, Virginia General District Court in 2012 and of reckless driving in the Virginia Beach General District Court in 2013.


5. Mr. Robertson violated Virginia Code § 54.1-3007(2) and 18 VAC 90-20-300(A)(2)(e) of the Regulations in that on an application for employment with Newport News Behavioral Health Center dated May 24, 2016:

a. He stated that his reason for leaving the Barry Robinson Center was “family matter and personal,” when, in fact, his employment with the Barry Robinson Center had been terminated on or about April 19, 2016, for violating policy related to the administration of controlled medications.

b. He denied ever being convicted of a criminal offense when, in fact, he had been convicted of trespassing and reckless driving.

Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Mr. Robertson’s health records or health services.


Gloria Mitchell-Lively, R.N., M.S.N., M.B.A.
Deputy Executive Director
Virginia Board of Nursing


Date