

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: LEA LORRAINE NEW, R.N.
License Number: 0001-235280
Case Number: 172287& 175935

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on January 23, 2017, in Henrico County, Virginia, to inquire into evidence that Lea Lorraine New, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Lea Lorraine New, R.N., did not appear at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated December 16, 2016, the Board sent a Notice of Formal Hearing (“Notice”) to Ms. New notifying her that a formal administrative hearing would be held on January 23, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. The Notice sent by certified mail/UPS was not returned to the Board office. The Notice sent by first class mail was not returned to the Board office. A few days prior to the hearing, Ms. New requested a continuance due to having a scheduled surgery. She was instructed to put her request in writing via email to Board staff, and that she would be required to provide proof of the scheduled surgery. Board staff indicated that no email was ever received. Accordingly, the panel Chair concluded that adequate notice was provided to Ms. New and the formal hearing proceeded in her absence.

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

FINDINGS OF FACT

1. Lea Lorraine New, R.N., was issued License No. 0001-235280 to practice professional nursing in the Commonwealth of Virginia on January 18, 2012. Said license was summarily suspended by the Board on December 16, 2016. Ms. New's primary state of residence is Virginia.
2. On November 19, 2015, Ms. New was convicted of DUI in the Gloucester County General District Court. She was ordered to complete the Virginia Alcohol Safety Action Program ("VASAP") and was issued a restricted driver's license with ignition interlock and a camera for one year. Ms. New has not completed the ordered VASAP.
3. Ms. New has been diagnosed with depression, anxiety, PTSD, alcohol dependence, opioid dependence and chronic pain. By her own admission, Ms. New has been treated for depression and anxiety. Ms. New denies alcohol and opioid dependence. Ms. New is not currently receiving mental health or substance abuse treatment.
4. On September 6, 2016, Ms. New presented to her place of employment, York House, Sola, Inc. ("Sola"), Gloucester, Virginia, in an impaired condition. Ms. New was observed to be shaky, had slurred speech, was talking to herself, and had dilated pupils. Further, Ms. New refused to submit to a for-cause drug screen.
5. Ms. New falsely stated to an investigator for the Department of Health Professions that a coworker at Sola was her supervisor.
6. Ms. New told an investigator for the Department of Health Professions that she resigned her position at The Brambles Group Home in Mathews, Virginia, to take a position at Sola, when, in

fact, The Brambles terminated Ms. New’s employment in July 2012 for documentation errors involving medication.

7. During the course of her employment with York House, Sola, Inc., on September 6, 2016, Ms. New refused to render care to Resident A, who suffers with epilepsy, while the resident was experiencing a seizure.

8. During the course of her employment with York House, Sola, Inc., on September 6, 2016, Ms. New asked a certified nurse aide to pass medications to the residents of the facility.

9. Ms. New’s employment with Sola was terminated on March 17, 2016. She was rehired on August 1, 2016. Ms. New’s employment with Sola was again terminated on September 6, 2016.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 2 through 4 constitute a violation of Virginia Code § 54.1-3007(6).

2. Findings of Fact Nos. 5 and 6 constitute a violation of Virginia Code § 54.1-3007(2) and 18 VAC 90-20-300(A)(2)(n) of the Regulations Governing the Practice of Nursing (“Regulations”).

3. Finding of Fact No. 7 constitutes a violation of Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-20-300(A)(2)(f) of the Regulations.

4. Finding of Fact No. 8 constitutes a violation of Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-20-300(A)(2)(i) of the Regulations.

ORDER

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

1. The license issued to Lea Lorraine New, R.N., to practice professional nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED for a period of not less than two years from the date of entry of this Order.

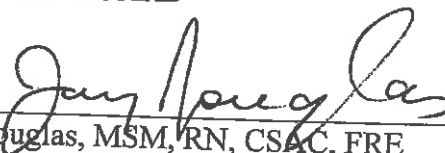
February 9, 2017

2. The license of Lea Lorraine New, R.N., will be recorded as SUSPENDED.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. Should Lea Lorraine New, R.N., seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. New to demonstrate that she is safe and competent to return to the practice of professional nursing. Ms. New 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.

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

FOR THE BOARD



Jay Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

ENTERED AND MAILED ON:

February 9th, 2017

Certified True Copy

By dgraham
Virginia Board Of Nursing

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay Douglas, MSM, RN, CSAC, FRE , Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.