

**BEFORE THE VIRGINIA BOARD OF NURSING**

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

**ORDER OF SUMMARY SUSPENSION**

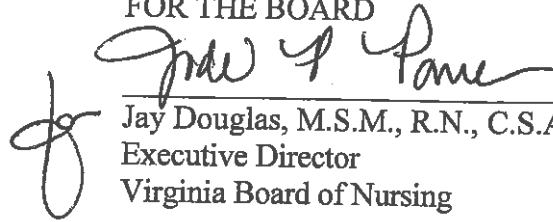
Pursuant to Virginia Code § 54.1-2408.1(A), a quorum of the Board of Nursing (“Board”) met by telephone conference call on December 7, 2016, after a good faith effort to convene a regular meeting of the Board had failed. The purpose of the meeting was to receive and act upon information indicating that Lea Lorraine New, R.N., may have violated certain laws relating to the practice of professional nursing in the Commonwealth of Virginia, as more fully set forth in the attached “Notice of Formal Administrative Hearing and Statement of Allegations,” which is attached hereto and incorporated by reference herein.

WHEREUPON, pursuant to its authority under Virginia Code § 54.1-2408.1(A), the Board concludes that a substantial danger to public health or safety warrants this action and **ORDERS** that the license of Ms. New to practice professional nursing in the Commonwealth of Virginia is **SUSPENDED**. It is further **ORDERED** that a hearing be convened within a reasonable time of the date of entry of this Order to receive and act upon evidence in this matter.

This Order shall be applicable to Ms. New’s multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia.

Pursuant to Virginia Code § 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 or copying on request.

FOR THE BOARD

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

ENTERED AND MAILED ON:

December 16, 2016

Certified True Copy

By   
\_\_\_\_\_  
Virginia Board Of Nursing

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE: LEA LORRAINE NEW, R.N.**  
**License Number: 0001-235280**  
**Issue Date: January 18, 2012**  
**Expiration Date: November 30, 2016**  
**Case Number: 172287 and 175935**

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**NOTICE OF FORMAL ADMINISTRATIVE HEARING  
AND STATEMENT OF ALLEGATIONS**

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**You are hereby notified that a Formal Hearing has been scheduled before the Board of Nursing ("Board") regarding your license to practice professional nursing in the Commonwealth of Virginia.**

<b>TYPE OF PROCEEDING:</b>	This is a formal administrative hearing before a panel of the Board.
<b>DATE AND TIME:</b>	<b>January 23, 2017 11:00 A.M.</b>
<b>PLACE:</b>	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 <sup>nd</sup> Floor - Virginia Conference Center Henrico, Virginia 23233

**LEGAL AUTHORITY AND JURISDICTION:**

1. This formal hearing is being held pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. At the conclusion of the proceeding, the Board 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;
- Suspend your license;
- Revoke your license.

### **ABSENCE OF RESPONDENT AND RESPONDENT'S COUNSEL:**

If you fail to appear at the formal hearing, the Board 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 Board 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.

### **COMMONWEALTH'S EXHIBITS:**

Enclosed is a copy of the documents that will be distributed to the members of the Board and will be considered by the Board 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 formal hearing.**

### **FILING DEADLINES:**

1. Deadline for filing exhibits: **December 30, 2016**. Submit 15 copies of all documents you want the Board to consider to Darlene Graham, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.

The Commonwealth must file any objections to your submissions in writing, addressed to Darlene Graham at the Board office, no later than **January 4, 2017**. If no objections have been received by **January 4, 2017**, the evidence will be distributed to the Board members for their review, and will be considered by the Board as evidence when it deliberates upon your case. If the Commonwealth raises objections, you have until **January 9, 2017**, to file your response to the objections, in writing and addressed to Darlene Graham at the Board office. The Chair of the proceeding will rule on the motion.

2. Deadline for filing motions, including requests for continuance or objections to exhibits, in writing, to Darlene Graham at the above address: **December 30, 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.

3. Deadline for filing any objections to the Commonwealth's exhibits, in writing, to Darlene Graham at the above address: **December 30, 2016**. If you have not filed any objections by **December 30, 2016**, the exhibits will be distributed to the Board members for their review prior to your hearing, and will be considered by the Board as evidence when it deliberates upon your case. If you do file objections, the Commonwealth has until **December 30, 2016**, to file a response to the objections, in writing and addressed to Darlene Graham at the Board office. The Chair of the proceeding will rule on the motion.

## REQUEST FOR A CONTINUANCE

Absent exigent circumstances, such as personal or family illness, a request for a continuance after **December 30, 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 **December 30, 2016**.

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**STATEMENT OF ALLEGATIONS**

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The Board alleges that:

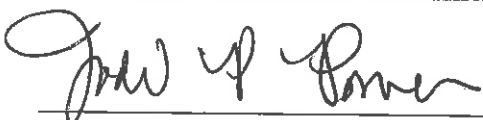
1. At all times relevant hereto, Lea Lorraine New, R.N., was licensed to practice professional nursing in the Commonwealth of Virginia.
2. Lea Lorraine New, R.N. violated Virginia Code § 54.1-3007(6) in that she is unable to safely practice professional nursing due to mental and physical illness and/or substance abuse, as evidenced by the following:
  - a. Ms. New was convicted of DUI on November 19, 2015 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.
  - b. 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.
  - c. On or about September 6, 2016, Ms. New presented to her place of employment, York House, Sola, Inc., Gloucester, Virginia, in an impaired condition. Ms. New was observed to be shaky, slurring speech, talking to herself, and having dilated pupils. Further, Ms. New refused to submit to a for-cause drug screen.
3. Ms. New violated Virginia Code § 54.1-3007(2) and 18 VAC 90-20-300(A)(2)(n) of the Regulations Governing the Practice of Nursing (“Regulation”) in that, on or about March 14, 2016, she

provided false information to an investigator for the Department of Health Professions, as evidenced by the following:

- a. Ms. New stated that a coworker at Sola was her supervisor.
  - b. Ms. New stated 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.
4. During the course of her employment with York House, Sola, Inc., on or about September 6, 2016:
- a. Ms. New violated Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-20-300(A)(2)(f) of the Regulations in that, she refused to render care to Resident A, who suffers with epilepsy, while the resident was experiencing a seizure.
  - b. Ms. New violated Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-20-300(A)(2)(i) of the Regulations in that she asked a certified nurse aide to pass medications to the residents of the facility, which is outside the scope of a certified nurse aide's practice.

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.

See Confidential Attachment I for the name of the resident referenced above.

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

December 16, 2016  
Date