

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: WILLIAM HOLT VEST, R.N. REINSTATEMENT APPLICANT
License Number: 0001-148243
Case Number: 173019

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 October 26, 2016, in Henrico County, Virginia, to receive and act upon William Holt Vest's application for reinstatement of his license to practice professional nursing in the Commonwealth of Virginia and to inquire into evidence that grounds may exist to deny said application.

William Holt Vest did not appear at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated September Day, 2016, the Board sent a Notice of Informal Conference ("Notice") to Mr. Vest notifying him that an informal conference would be held on October 26, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. According to the USPS tracking website, notice was left at Mr. Vest's legal address of record to pick up the Notice sent by certified mail at the local post office. The Notice sent by certified mail was returned to the Board office after the maximum hold time had expired. The Notice sent by first class mail was not returned to the Board office. Accordingly, the Committee Chair concluded that adequate notice was provided to Mr. Vest and the informal conference proceeded in his absence.

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. William Holt Vest was issued License Number 0001-148243 to practice professional nursing on June 10, 1996, which expired on November 30, 2005. His primary state of residence is Virginia.
2. Mr. Vest submitted an application for reinstatement of his license to practice professional nursing to the Board on April 5, 2016.
3. As the applicant, Mr. Vest had the burden to demonstrate to the Board that he is safe and competent to practice as a professional nurse and he did not appear.
4. Mr. Vest violated Virginia Code § 54.1-3007(6) in that he is unsafe to practice professional nursing due to mental illness, as evidenced by the following:
 - a. Between January and March 2016, Mr. Vest received inpatient psychiatric treatment on five occasions for depression, anxiety, and suicidal ideations. His discharge diagnoses included adjustment disorder with depression and anxiety; rule out malingering; and major depressive disorder, severe, recurrent.
 - b. Mr. Vest received outpatient treatment at Blue Ridge Behavioral Services, Roanoke, Virginia beginning in November 2015 until he was discharged from the practice on March 31, 2016 for missing three appointments. Mr. Vest's diagnoses included major depressive disorder, recurrent; generalized anxiety disorder; and dependent personality disorder.
 - c. On May 19, 2016, Mr. Vest's previous primary care physician told an investigator for the Department of Health Professions that Mr. Vest was a danger to himself and others, and that in her opinion, he was not safe to practice nursing due to psychiatric concerns.
5. Mr. Vest violated Virginia Code § 54.1-3007(1) and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing in that on his application for reinstatement of his nursing license submitted to the Board on or about April 5, 2016, Mr. Vest falsely answered "no" to

the question “do you have a mental, physical, or chemical dependency condition which could interfere with your current ability to practice nursing.” In fact, Mr. Vest has a long history of mental illness, as set forth in Finding of Fact No. 4.

6. Mr. Vest has not demonstrated that he is able to resume the safe and competent practice of professional nursing.

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

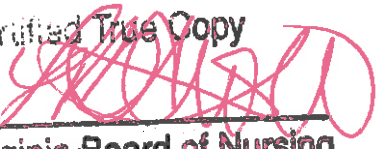
ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS that the application of William Holt Vest, R.N., for reinstatement of his license to practice professional nursing is DENIED. Should he petition the Board for reinstatement of his license, an administrative proceeding will be convened to determine whether Mr. Vest is able to return to the safe and competent practice of professional nursing. Mr. Vest 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.

FOR THE BOARD

Certified True Copy

By 
Virginia Board of Nursing


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

ENTERED AND MAILED:

November 9th, 2016

NOTICE OF RIGHT TO APPEAL

Pursuant to Virginia Code § 54.1-2400(10), Mr. Vest may, not later than 5:00 p.m., on December 12, 2016, 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 December 12, 2016, unless a request for a formal administrative hearing is received as described above.