

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:           DORECIA LEE, L.P.N.**  
**License Number:   0002-089483**  
**Case Number:       172672**

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**ORDER**

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**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 September 21, 2016, in Henrico County, Virginia, to inquire into evidence that Dorecia Lee, L.P.N., may have violated certain laws and regulations governing the practice of practical nursing in the Commonwealth of Virginia.

Dorecia Lee, L.P.N., did not appear at this proceeding and was not represented by legal counsel.

**NOTICE**

By letter dated August 11, 2016, the Board sent an Amended Notice of Formal Hearing (“Notice”) to Ms. Lee notifying her that a formal administrative hearing would be held on September 21, 2016. 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 was returned to the Board office as undeliverable-could not forward. The Notice sent by first class mail was returned to the Board office unclaimed. Accordingly, the panel Chair concluded that adequate notice was provided to Ms. Lee 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. Dorecia Lee, L.P.N. was issued License No. 0002-089483 to practice practical nursing by the Virginia Board of Nursing on August 7, 2013. Said license is scheduled to expire on August 31, 2017. Ms. Lee's license was summarily suspended by Order of the Board on June 21, 2016. Ms. Lee's primary state of residence is Virginia.

2. During the course of Ms. Lee's employment with Salem Health and Rehabilitation Center, Salem, Virginia ("Salem Health"), between December 2015 and March 2016, she diverted controlled substances including oxycodone (C-II) and hydrocodone (C-II) from resident supplies for her personal and unauthorized use. Specifically:

a. By her own admission, Ms. Lee diverted "6 to 7 pills" of controlled substances per shift in order to sell them for money. Ms. Lee accomplished the diversions one of two ways:

i. Ms. Lee signed out the controlled substances on the medication log, pocketed the pills, and failed to document the medication administration record ("MAR"); or

ii. Ms. Lee signed out the controlled substances on the medication log, pocketed the pills, and told the other nurses that she had done the medication pass for them and that they would need to document the MAR.

b. By her own admission, Ms. Lee documented that she administered a controlled substance to a resident when she was not at work.

c. On February 6, 2016, Ms. Lee pulled medication to administer to a resident who had died on February 4, 2016. She did not return or waste the medication.

d. Ms. Lee acknowledged that her actions caused pain to the residents whose medications she diverted.

3. Ms. Lee's employment with Salem Health was terminated on March 12, 2016.

4. On her application for employment with Friendship Retirement Community (“FRC”) dated March 15, 2016:

a. Ms. Lee stated that the reason she left her employment with Salem Health was “personal” when, in fact, her employment was terminated for diversion.

b. Ms. Lee answered “no” to the question “Are you (sic) subject of any pending criminal charges?” In fact, Ms. Lee admitted to an investigator with the Department of Health Professions that she had been advised of pending criminal charges by the Virginia State Police.

5. On July 15, 2016, Ms. Lee was indicted on three felony counts of obtaining prescriptions by fraud in the Circuit Court of the City of Salem, Virginia.

#### CONCLUSIONS OF LAW

1. Findings of Fact Nos. 2(a) through 2(c) constitute a violation of Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-20-300(A)(2)(c) and (f) of the Regulations Governing the Practice of Nursing (“Regulations”).

2. Findings of Fact Nos. 4(a) and 4(b) constitute a violation of Virginia Code § 54.1-3007(2) and 18 VAC 90-20-300(A)(2)(e) 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 Dorecia Lee, L.P.N., to practice practical 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.

2. The license of Dorecia Lee, L.P.N., will be recorded as SUSPENDED.

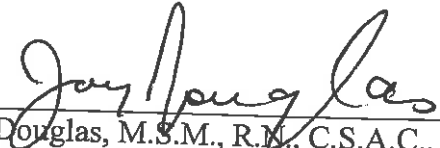
3. This suspension applies to any multistate privilege to practice practical nursing.

4. Should Dorecia Lee, L.P.N., seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Dorecia Lee, L.P.N., to demonstrate that she is safe and competent to return to the practice of practical nursing. Dorecia Lee, L.P.N., 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.

5. Dorecia Lee, L.P.N., is REPRIMANDED.

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

ENTERED AND MAILED ON:

October 12<sup>th</sup>, 2016

**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, 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. 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.

Certified True Copy

By   
Virginia Board Of Nursing