

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:           DORECIA LEE, L.P.N.**  
**License Number:           0002-089483**  
**Issue Date:                August 7, 2013**  
**Expiration Date:           August 31, 2017**  
**Case Number:              172672**

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**AMENDED 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 practical nursing in the Commonwealth of Virginia.**

<b>TYPE OF PROCEEDING:</b>	This is a formal administrative hearing before a panel of the Board of Nursing.
<b>DATE AND TIME:</b>	<b>September 21, 2016 1:00 P.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 EXHIBIT:**

You have already been provided 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. **Please bring these documents with you to the formal hearing.**

**FILING DEADLINES:**

1. Deadline for filing exhibits: **August 25, 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.
2. Deadline for filing motions, including motions for continuance or objections to exhibits, in writing, to Darlene Graham at the above address: **August 25, 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.

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**STATEMENT OF ALLEGATIONS**

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The Board of Nursing alleges that:

1. At all times relevant hereto, Dorecia Lee, L.P.N. was licensed to practice practical nursing in the Commonwealth of Virginia.

2. Dorecia Lee, L.P.N. violated 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”) in that during the course of her employment with Salem Health and Rehabilitation Center, Salem, Virginia (“Salem Health”) between December 2015 and March 2016, by her own admission, 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 admitted that she 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 or about February 6, 2016, Ms. Lee pulled medication to administer to a resident who had died on or about February 4, 2016. She did not return or waste the medication.

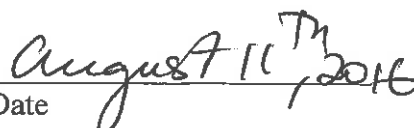
d. Ms. Lee acknowledged that her actions caused pain to the residents whose medications she diverted.

3. Dorecia Lee, L.P.N., violated Virginia Code § 54.1-3007(2) and 18 VAC 90-20-300(A)(2)(e) of the Regulations, in that:

a. On her March 15, 2016 employment application with Friendship Retirement Community (“FRC”), she falsely stated that the reason she left her employment with Salem Health was “personal” when, in fact, her employment was terminated for diversion on March 12, 2016.

b. On her March 15, 2016 employment application with FRC, she 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 and that she falsified the FRC application.

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

  
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Date