

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: **LILLIE NICOLE DUBOIS, R.N.**
License Number: 0001-190376
Case Number: 168923, 169032

RATIFICATION AND ORDER

On September 21, 2016, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Lillie Nicole Dubois, R.N. was not present nor was she represented by legal counsel.

In consideration whereof, the Board of Nursing ACCEPTS the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and ADOPTS the Recommended Order in its entirety.

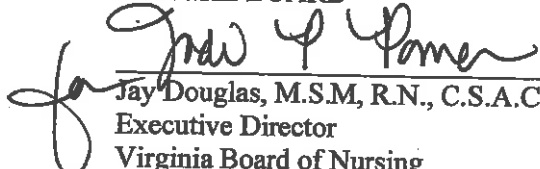
Pursuant to Virginia Code § 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Virginia Code § 54.1-2400(10), Ms. Dubois may, not later than 5:00 p.m., on November 1, 2016, notify Jay Douglas, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she 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.

Certified True Copy

By 
Virginia Board of Nursing

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:

September 29, 2016

This Order shall become final on November 1, 2016, unless a request for a formal administrative hearing is received as described above.

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: LILLIE NICOLE DUBOIS, R.N.
License Number: 0001-190376
Case Numbers: 168923, 169032

REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Allison Gregory, M.S., R.N., F.N.P.-B.C., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on July 14, 2016 in Henrico County, Virginia, to inquire into evidence that Lillie Nicole Dubois, R.N. may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Ms. Dubois appeared at this proceeding and was not represented by legal counsel.

Upon consideration of the evidence, the Agency Subordinate makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

Notice

By letter dated June 21, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Dubois notifying her that an informal conference would be held on July 14, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing.

Recommended Findings of Fact and Conclusions of Law

1. Lillie Nicole Dubois, R.N. was issued License Number 0001-190376 to practice professional nursing on June 10, 2004, which is scheduled to expire on March 31, 2017. At all times relevant to the findings herein, said license was in full force and effect. Her primary state of residence is Virginia.

2. By Order entered September 2, 2014 (“Board’s Order”), Ms. Dubois was placed on probation with terms for a period of two years of actual nursing practice. The Board’s Order was based on findings of impairment due to Ms. Dubois’ admitted drug addiction and her dismissal from the Health Practitioners’ Monitoring Program (“HPMP”) after she stopped participating in the program due to financial hardship.

3. Ms. Dubois violated Term Number 2 of the Board’s Order, which required her to undergo an evaluation by a mental health or chemical dependency specialist, comply with any recommendations of the specialist, and have her provider submit written progress reports of any recommended therapy, in that Ms. Dubois failed to have her therapist timely submit the first progress report. The first progress report was due to the Board on December 31, 2014, and the Board received the progress report on March 26, 2015. Additionally, Ms. Dubois failed to have her treatment providers submit progress reports for the periods ending September 30, 2015 and December 31, 2015.

4. Ms. Dubois violated Term Number 3 of the Board’s Order, which required her to submit a written report from her prescribing practitioner for any prescribed Schedule II-V controlled medication within ten days of the date the medication is prescribed, in that Ms. Dubois failed to have her prescribing practitioners submit timely written reports for several controlled medications prescribed to her between September 2014 and January 2015.

5. Ms. Dubois violated Term Number 4 of the Board’s Order, which required her to submit to quarterly supervised, unannounced, random drug screens which included testing for alcohol, opiates, and sedatives, in that the drug screens conducted on November 18, 2014 and on December 15, 2014 did not include testing for alcohol and Ms. Dubois did not submit drug screen reports for the periods ending September 30, 2015 and December 31, 2015 to the Board.

6. Ms. Dubois violated Term Numbers 15 and 11 of the Board’s Order, which required her to submit “self-reports” to the Board by the last day of the months of March, June, September, and

December, in that Ms. Dubois did not submit the self-reports for the quarters ending December 31, 2014 and March 31, 2015 until October 2, 2015.

7. At the informal conference, Ms. Dubois stated that she thought she had submitted compliance paperwork on time. Ms. Dubois was unable to explain the lateness of some of her reports, and stated that she did not realize they were late until the compliance case manager told her. Ms. Dubois stated that she wanted another chance to comply with her probation and return to practice. She stated that she would be more organized with her paperwork.

8. Ms. Dubois reported date of sobriety is November 13, 2013. She completed inpatient treatment and no longer takes Suboxone (buprenorphine, C-III), which she was weaned off completely. Ms. Dubois remains compliant with the recommendations from her treating mental health provider. She reported at the informal conference that she was currently unemployed.

Recommended Order

Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Board issue an Order as follows:

1. Lillie Nicole Dubois, R.N. is REPRIMANDED.
2. Ms. Dubois is CONTINUED on PROBATION for a period of not less than two years of active practice in employment as a professional nurse subject to the terms and conditions set forth in the Board's Order entered September 2, 2014.

Reviewed and approved on July 29, 2016
By Allison Gregory, M.S., R.N., F.N.P.-B.C.
Agency Subordinate

Certified True Copy

By 
Virginia Board of Nursing