

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:           DIANE RENEE OLSEN, R.N. REINSTATEMENT APPLICANT**  
**License Number:   0001-208243**  
**Case Number:       173491**

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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 July 18, 2016, in Henrico County, Virginia, to receive and act upon Diane Renee Olsen's application for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia.

Diane Renee Olsen, R.N. appeared at this proceeding and was represented by Margaret F. Hardy, Esquire.

**NOTICE**

By letter dated July 5, 2016, the Board of Nursing sent a Notice of Formal Hearing (“Notice”) to Ms. Olsen notifying her that a formal administrative hearing would be held on July 18, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing.

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. Diane Renee Olsen, R.N., was issued License No. 0001208243 to practice professional nursing in the Commonwealth of Virginia on July 17, 2007. Said license was mandatorily suspended

pursuant to § 54.1-2409 of the Code of Virginia by Order of the Department of Health Professions entered on March 16, 2016. Ms. Olsen's primary state of residence is Virginia.

2. Ms. Olsen submitted an application for reinstatement of said license to the Board on April 7, 2016.

3. On February 17, 2016, the Tennessee Board of Nursing, by Consent Order, accepted the voluntary surrender of Ms. Olsen's privilege to practice nursing, through the Nurse Licensure Compact, in the State of Tennessee. Ms. Olsen's voluntary surrender of her privilege to practice nursing formed the basis for the mandatory suspension of her license by Order of the Department of Health Professions entered March 16, 2016.

4. During the course of her employment with St. Thomas Midtown Hospital ("St. Thomas"), Nashville, Tennessee, on February 22, 2015, Ms. Olsen was observed exhibiting impaired behavior while on duty. Ms. Olsen submitted to a reasonable suspicion urine drug screen which was positive for cocaine.

5. In May 2015, Ms. Olsen omitted information on her employment application with Sentara Northern Virginia Medical Center ("Sentara"), Woodbridge, Virginia, about her prior employment and termination from St. Thomas.

6. In March 2016, during the course of her employment with Sentara, Ms. Olsen practiced as a nurse after having been notified that her nursing license had been suspended.

7. Ms. Olson admitted that the for-cause drug screen was positive for cocaine. Ms. Olson told the Board that she had not slept well the two nights prior to February 22, 2015, and that, coupled with her attention deficit disorder, caused people to think she was impaired. Ms. Olson told the Board that the drug screen was positive because she had been drinking a tea she bought in Bolivia, which she did not realize had cocaine in it.

8. Ms. Olson testified that she has not knowingly used any recreational drugs, including cocaine, since 2006. Ms. Olson previously successfully completed an out-of-state substance abuse program in 2006. Ms. Olson underwent a substance abuse evaluation in 2016, and the therapist who conducted the evaluation did not currently recommend substance abuse treatment for Ms. Olson.

9. At the hearing, Ms. Olson told the Board that she did not understand that when she voluntarily surrendered her license in Tennessee, it would affect her ability to practice in Virginia.

10. Ms. Olson admitted that she worked after receiving the notice of suspension of her license. She told the Board when she received the letter from the Department of Health Professions she thought she could practice until she came in front of the Board for final disposition.

11. Ms. Olson testified that she left her employment at St. Thomas off of her application for employment with Sentara because she submitted an outdated resume.

12. At the hearing, Ms. Olson told the Board that she believes she has a lot to offer and that she loves her patients.

#### CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of Virginia Code § 54.1-3007(7).
2. Finding of Fact No. 4 constitutes a violation of Virginia Code § 54.1-3007(5) and (6).
3. Finding of Fact No. 5 constitutes a violation of Virginia Code § 54.1-3007(2) and 18 VAC 90-20-300(A)(2)(e) of the Regulations Governing the Practice of Nursing (“Regulations”).
4. Finding of Fact No. 6 constitutes a violation of Virginia Code § 54.1-3007(3) and (5) and § 54.1-3008(5).
5. Diane Renee Olsen has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner.

6. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Olsen’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 as follows:

1. WHEREFORE, the Virginia Board of Nursing, by affirmative vote of at least three-fourths of the members of the Board at the proceeding, effective upon entry of this Order, ORDERS that the license issued to Diane Renee Olsen to practice professional nursing in the Commonwealth of Virginia is REINSTATED contingent upon Ms. Olsen’s successful completion of the following NCSBN courses:


- a. Disciplinary Actions: What Every Nurse Should Know
- b. Professional Accountability & Legal Liability for Nurses

2. Diane Renee Olsen is REPRIMANDED.

3. Diane Renee Olsen shall comply with all laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

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

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

ENTERED AND MAILED ON:

\_\_\_\_\_  
August 5<sup>th</sup>, 2016

Certified True Copy

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

**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 P. Douglas, 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.