

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: WILLIAM ARTHUR WALTERS, Jr., L.P.N.
License Number: 0002-058987
Case Number: 169587

RATIFICATION AND ORDER


On July 20, 2016, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. William Arthur Walters, Jr., L.P.N. was not present nor was he 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.

Since Mr. Walters failed to appear at the informal conference, this Order shall be considered final. Mr. Walters has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Mr. Walters has thirty days from the date of service (the date he actually received this decision or the date it was mailed to him, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three days are added to that period.

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:



August 4th, 2016

Certified True Copy

By 

Virginia Board of Nursing

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: William Arthur Walters, Jr., L.P.N.
License Number: 0002-058987
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REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Jane Elliott, R.N., Ph.D., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on June 1, 2016 in Henrico County, Virginia, to inquire into evidence that William Arthur Walters, Jr., L.P.N. may have violated certain laws and regulations governing the practice of practical nursing in the Commonwealth of Virginia.

Mr. Walters did not appear 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 April 26, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Mr. Walters notifying him that an informal conference would be held on June 1, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing. The certified mail receipt was signed and returned to the Board office. The Notice sent by first class mail was not returned to the Board office. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Mr. Walters and the informal conference proceeded in his absence.

Recommended Findings of Fact and Conclusions of Law

1. William Arthur Walters, Jr., L.P.N. was issued License Number 0002-058987 to practice practical nursing on September 17, 1999, which expired on August 31, 2015. At all times relevant to the allegations herein, said license was in full force and effect. His primary state of residence is Virginia.

2. By Order of the Board entered on January 24, 2012, Mr. Walters' license was suspended due to findings of substance abuse. By Order of the Board entered on February 26, 2014, Mr. Walters' license was reinstated contingent upon his entry into and compliance with the Health Practitioners' Monitoring Program ("HPMP").

3. Mr. Walters entered a Participation Contract with the HPMP on January 22, 2014, and he entered a Recovery Monitoring Contract on May 5, 2014. On July 28, 2014, Mr. Walters informed his case manager that he desired to make a career change and resigned from the program.

4. On August 14, 2015, Mr. Walters' resignation was accepted and he was dismissed from the HPMP.

5. Mr. Walters was previously in the HPMP in 2007 and was urgently dismissed in 2011 due to starting employment without HPMP approval.

6. On November 19, 2015, during an interview with a Department of Health Professions investigator, Mr. Walters reported that he no longer wanted to practice nursing and that he had returned his expired license to the Board.

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. William Arthur Walters, Jr. is REPRIMANDED.

2. The right of William Arthur Walters, Jr. to renew his license to practice practical nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED for a period of not less than two years from date of entry of this Order.
3. The license of William Arthur Walters, Jr. will be recorded as SUSPENDED.
4. This suspension applies to any multistate privilege to practice practical nursing.
5. Should William Arthur Walters, Jr. seek reinstatement of his license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on William Arthur Walters, Jr. to demonstrate that he is safe and competent to return to the practice of practical nursing. William Arthur Walters, Jr. 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.

Reviewed and approved on June 13, 2016
By Jane Elliott, R.N., Ph.D.
Agency Subordinate

Certified True Copy

By 
Virginia Board of Nursing