

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: WILLIAM A. WALTERS, Jr., L.P.N. REINSTATEMENT APPLICANT  
License No.: 0002-058987**

**ORDER**

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on February 10, 2014, in Henrico County, Virginia, to receive and act upon the application of William A. Walters, Jr., for reinstatement of his license to practice professional nursing in Virginia and to inquire into evidence that Mr. Walters may have violated certain laws and regulations governing nursing practice in Virginia. Mr. Walters was present and was not represented by legal counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. William A. Walters, Jr., was issued License No. 0002-058987 to practice practical nursing in the Commonwealth of Virginia on September 17, 1999. Said license was suspended by Order of the Board entered on January 24, 2012, due to findings of substance abuse. His primary state of residence is Virginia.
2. By letter dated January 7, 2014, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Mr. Walters notifying him that an informal conference would be held on February 10, 2014. The Notice was sent by certified and first class mail to P. O. Box 324, Mappsville, Virginia 23407, the address of record on file with the Board of Nursing.
3. Mr. Walters submitted an application for reinstatement of his license to practice practical nursing which was received by the Board on May 31, 2013.

4. On July 14, 2006, Mr. Walters' employment was terminated from Anchorage Nursing and Rehabilitation Center, Salisbury, Maryland, after he tested positive for cocaine.

5. Mr. Walters admitted to past cocaine abuse and relapsing in May 2007. On July 19, 2007, he completed a 28-day inpatient treatment program at Willow Oaks Rehabilitation Center and received outpatient substance abuse treatment at the Eastern Shore Community Services Board from December 14, 2006 to November 17, 2008.

6. On the application for reinstatement dated May 30, 2013, Mr. Walters answered "no" to the question, do you have a mental, physical or chemical dependency condition which could interfere with your current ability to practice nursing," although he acknowledged having abused cocaine and that he was currently attending Alcoholics Anonymous/Narcotics Anonymous meetings ("AA/NA"). Mr. Walters acknowledged that he incorrectly answered the question.

7. Mr. Walters reported a sobriety date of June 18, 2007. He reported attending AA/NA meetings three times a week and that he had entered a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") the prior week, but did not provide any documentation.

8. Mr. Walters has been employed as a bus driver with the Accomack County Public Schools since February 2011. He has also been employed in a seasonal position with the Town of Chincoteague since May 2012.

#### **CONCLUSIONS OF LAW**

1. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(5) and (6) of the Code.
2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(6) of the Code.
3. Finding of Fact No. 6 constitutes a violation of § 54.1-3007(1) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing.

4. The Board concludes that Mr. Walters has demonstrated satisfactory evidence that he is prepared to resume practice in a safe and competent manner with certain terms and conditions.

**ORDER**

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. The license of William A. Walters, Jr., to practice practical nursing is hereby REINSTATED contingent upon proof that Mr. Walters has entered the HPMP pursuant to Chapter 25.1 of Title 54.1 of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPMP. Upon issuance of a license to practice as a practical nurse, which shall be valid in Virginia only, Mr. Walters shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.
2. This order shall be applicable to Mr. Walters' multistate licensure privilege, if any, to practice practical nursing. For the duration of this Order, Mr. Walters shall not work outside the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where he wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.
3. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of William A. Walters, Jr., and an administrative proceeding shall be held to decide whether his license should be revoked. Mr. Walters shall be noticed to appear before the Board at such time as the Board is notified that:
  - a. Mr. Walters is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
  - b. There is a pending investigation or unresolved allegation against Mr. Walters involving a violation of law or regulation or any term or condition of this Order; or

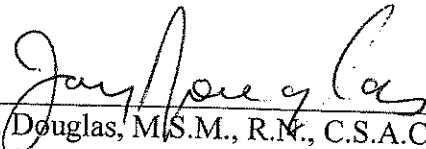
c. Mr. Walters has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Mr. Walters' participation in and compliance with the HPMP, the Board, at its discretion, may waive Mr. Walters' appearance before the Board and conduct an administrative review of this matter.

4. Mr. Walters shall maintain a course of conduct in his capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Regulations Governing the Practice of Nursing.

Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying on request.


Pursuant to Section 54.1-2400(10) of the Code, Mr. Walters may, not later than 5:00 p.m., on **March 31, 2014**, notify Jay P. 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, in writing that he 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.

FOR THE COMMITTEE:

  
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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: February 26<sup>th</sup>, 2014

This Order shall become final on **March 31, 2014**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy  
By   
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Virginia Board of Nursing