

JAN 10 2012

DHP

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: WILLIAM A. WALTERS, JR., L.P.N.
License No.: 0002-058987

CONSENT ORDER

Pursuant to §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was held before a Special Conference Committee ("Committee") of the Board of Nursing ("Board") on October 11, 2011, in Henrico County, Virginia, to inquire into evidence that William A. Walters, Jr., L.P.N., may have violated certain laws governing the practice of nursing in Virginia. Mr. Walters was not present and was not represented by counsel.

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

FINDINGS OF FACT

1. William A. Walters, Jr., L.P.N., was issued License No. 0002-058987 to practice professional nursing in the Commonwealth of Virginia on September 17, 1999. Said license expires on August 31, 2013. Mr. Walters' primary state of residence is Virginia.
2. By letter dated September 15, 2011, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Mr. Walters notifying him that an informal conference would be held on October 11, 2011. 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. Mr. Walters accepted delivery of the Notice sent by certified mail on September 17, 2011. As of October 11, 2011, the Notice sent by first class mail had not been returned to the Board. By letter dated October 1, 2011, Mr. Walters advised that he would not be able to attend the informal

conference. He did not request a continuance. The Committee Chair concluded that adequate notice was provided to Mr. Walters and the informal conference proceeded in his absence.

3. Mr. Walters is unsafe to practice practical nursing due to cocaine abuse.
4. On December 18, 2006, Mr. Walters entered into a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") after testing positive for cocaine. On March 17, 2011, Mr. Walters was dismissed from HPMP for submitting a positive drug screen in May 2007, failing to present two drug screens within a six month period between January and May 2010, and failing to notify his case manager of his new employment.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(6) of the Code.

CONSENT

William A. Walters, Jr., L.P.N., by affixing his signature hereon, agrees to the following:

1. He has been advised to seek advice of counsel prior to signing this document;
2. He acknowledges that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. He acknowledges that he has the following rights, among others: the right to formal fact finding hearing before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against him;
4. He waives all such right to a formal hearing;
5. He neither admits nor denies the Findings of Fact and Conclusions of Law contained herein but waives his right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;

6. He consents to the entry of the following Order affecting his right to practice practical nursing in Virginia.

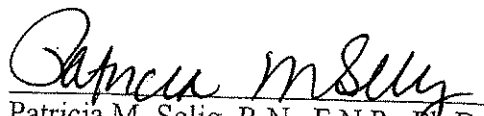
ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. License No. 0002-058987 of William A. Walters, Jr., is INDEFINITELY SUSPENDED for a period of not less than one year.
2. The license will be recorded as suspended and no longer current.
3. At such time as Mr. Walters shall petition the Board for reinstatement of his license, an administrative proceeding will be convened to determine whether he is capable of resuming the safe and competent practice of practical nursing. Mr. Walters shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.
4. This suspension applies to any multistate privilege to practice practical 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 upon request.

FOR THE BOARD


Patricia M. Selig, R.N., F.N.P., Ph.D.
President, Virginia Board of Nursing

ENTERED: January 24, 2012

SEEN AND AGREED TO:

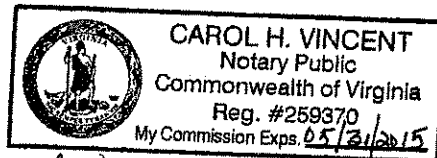
William A. Walters, Jr.
William A. Walters, Jr., L.P.N.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Accomack, TO WIT:

Subscribed and sworn to before me, Carol Vincent, a Notary Public, this 3rd day of January, 2012 aw

My commission expires May 31, 2015

Registration Number 259370



Carol H. Vincent
NOTARY PUBLIC

Certified True Copy
By dgraham
Virginia Board of Nursing