

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       WAYNE L. COOKE, L.P.N.  
              License No.: 0002-077171**

**NOTICE OF HEARING**

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Wayne L. Cooke, who holds License No. 0002-077171, which expires on November 30, 2015, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on May 18, 2015, at 11:00 a.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Mr. Cooke will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Mr. Cooke has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on his behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Mr. Cooke desires any witnesses to appear on his behalf, he must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to inquire into evidence that Mr. Cooke may have violated certain laws and regulations governing practical nursing practice in Virginia, as more fully set forth in the Statement of Particulars below.

STATEMENT OF PARTICULARS

The Board alleges that:

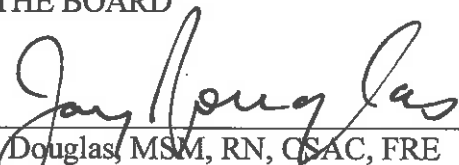
1. Mr. Cooke may have violated § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(a)(2)(f) of the Regulations Governing the Practice of Nursing (“Regulations”), in that in the course of his employment with Maxim Healthcare Services, Virginia Beach, Virginia, on or about January 3, 2014, Mr. Cooke fell asleep during his shift when he was providing in-home care for minor Patient A.

2. During the course of Mr. Cooke’s employment with Heritage Hall, Virginia Beach, Virginia:

a. Mr. Cooke may have violated § 54.1-3007(2), (5), and (6) of the Code and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations in that on or about July 1, 2014, Mr. Cooke diverted narcotic medications by pulling PRN medications on two occasions during his shift for Resident A, who had been discharged prior to Mr. Cooke’s shift.

b. Mr. Cooke may have violated § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations in that on or about June 27, 2014, multiple coworkers observed Mr. Cooke struggling to remain awake during his shift, failing to respond to resident call lights, and acting rudely towards coworkers and residents.

FOR THE BOARD

  
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Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director for the  
Board of Nursing

ENTERED: April 17<sup>th</sup>, 2015