

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:**

**DELIA STORER, R.N. APPLICANT**

**CONSENT ORDER**

The Virginia Board of Nursing ("Board") and Delia Storer, as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Storer's application for licensure by repeat examination to practice professional nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. Delia Storer submitted an application for licensure by examination to practice as a professional nurse which was received by the Board on May 10, 2007. On August 22, 2007, Ms. Storer sat for the NCLEX-RN examination, but did not pass the examination.
2. On September 26, 2007, the Board receive an application for licensure by repeat examination to practice as a professional nurse submitted by Ms. Storer. On January 9, 2008, Ms. Storer sat for the NCLEX-RN examination, and again she did not pass the examination.
3. Ms. Storer submitted an application for licensure by repeat examination to practice professional nursing which was received by the Board on February 3, 2011. Ms. Storer's primary state of residence is Virginia.
4. On May 20, 2008, Ms. Storer was convicted of appearing in public in an intoxicated condition in the Virginia Beach, Virginia, General District Court. Ms. Storer provided evidence that she has paid all fines and court costs associated with this conviction.
5. On June 19, 2008, Ms. Storer was convicted of driving while under the influence in the Charlottesville, Virginia, General District Court. Ms. Storer was sentenced to 30 days incarceration, with 25

days suspended, suspension of her driver’s license for a period of 12 months, and ordered to attend the Virginia Alcohol Safety Action Program (“VASAP”).

6. Ms. Storer provided evidence of completion of the James River VASAP on July 9, 2009.

7. On November 20, 2009, Ms. Storer was convicted of trespass upon the property of another in the Virginia Beach, Virginia, General District Court. Ms. Storer was ordered to pay \$499.00 in restitution to an individual for the loss of an Apple iPhone.

8. On May 10, 2010, Ms. Storer was convicted of appearing in public in an intoxicated condition in the Virginia Beach, Virginia, General District Court. Ms. Storer provided evidence of payment of her fine and associated court costs.

9. Ms. Storer provided evidence of successful completion of a substance abuse treatment program in June 2009.

#### **CONCLUSIONS OF LAW**

1. Findings of Fact Nos. 4, 5 and 9 constitute a violation of § 54.1-3007(5) and (6) of the Code of Virginia (1950), as amended (“Code”).

2. Based on the above Findings of Fact, Ms. Storer is a candidate for the Health Practitioners’ Monitoring Program (“HPMP”).

3. Ms. Storer otherwise meets the requirements of § 54.1- 3017 of the Code.

#### **CONSENT**

Delia Storer, by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;

2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;

3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference 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 her;

4. She waives all such right to an informal conference;

5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;

6. She consents to the entry of the following Order affecting her application for licensure by repeat examination to practice professional 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 that the application of Delia Storer for licensure by repeat examination to practice professional nursing is APPROVED. Upon successful completion of the NCLEX-RN examination, Ms. Storer shall be issued a license to practice professional nursing in the Commonwealth contingent upon the following terms and conditions:

1. Ms. Storer shall provide proof of entry into 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.

2. Thereafter, Ms. Storer shall comply with all terms and conditions for the period specified by the HPMP.

3. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Storer, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Storer shall be noticed to appear before the Board at such time as the Board is notified that:

a. Ms. Storer 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 Ms. Storer involving a violation of law or regulation or any term or condition of this Order; or

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

4. This Order is applicable to Ms. Storer's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Storer shall not work outside of 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 Ms. Storer wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

5. Ms. Storer shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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



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

ENTERED: April 25<sup>th</sup>, 2011

SEEN AND AGREED TO:

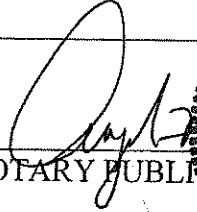
  
Delia Storer

COMMONWEALTH OF VIRGINIA,  
COUNTY/CITY OF Virginia Beach, TO WIT:

Subscribed and sworn to before me, ~~James~~ Angela Bartlett, a Notary Public, this 16<sup>th</sup> day of April, 2011.

My commission expires 9-30-2011.

Registration Number 7092900

  
NOTARY PUBLIC  
