

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

WAYNE C. GOULD, R.N. APPLICANT

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 April 5, 2016, in Henrico County, Virginia, to receive and act upon the application of Wayne C. Gould for licensure by examination to practice as a registered nurse and to inquire into allegations that grounds may exist to deny said application. Mr. Gould 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. Wayne C. Gould was issued Certificate No. 1401-137115 to practice as a nurse aide in the Commonwealth of Virginia on May 19, 2010. Mr. Gould voluntarily surrendered said certificate by Consent Order entered March 23, 2011.
2. On October 23, 2015, Mr. Gould submitted an application for licensure by examination to practice as a registered nurse in the Commonwealth of Virginia. Mr. Gould declared Virginia as his primary state of residence.
3. By letter dated February 29, 2016, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Mr. Gould notifying him that an informal conference would be held on April 5, 2016. The Notice was sent by certified and first class mail to 6973 Old Mill Road, Roanoke, Virginia 24018, the address of record on file with the Board of Nursing.
4. On March 2, 2004, in the Prince Edward County, Virginia, General District Court, Mr. Gould was convicted of driving while under the influence.

5. He was sentenced to 60 days in jail, suspended, and ordered to complete the Virginia Alcohol Safety Action Program (“VASAP”) and pay fines and court costs. Mr. Gould has completed all court requirements.

6. On April 21, 2009, in the Circuit Court of Goochland County, Virginia, Mr. Gould was convicted of driving while under the influence.

7. He was sentenced to 12 months incarceration, with all but 20 days suspended, and ordered to complete the VASAP and pay fines and court costs. Mr. Gould has completed all court requirements.

8. On March 6, 2010, Mr. Gould entered the Health Practitioners’ Monitoring Program (“HPMP”) as a condition of receiving certification to practice as a nurse aide, due to admitted substance abuse; however, he resigned from the HPMP on January 24, 2011, prior to the completion of his contract, due to limited financial resources.

9. Mr. Gould reported a sobriety date of May 1, 2009. He presented a substance use evaluation conducted by Hannah Lloyd, C.S.A.C., on November 19, 2015, and an accompanying letter advocating for Mr. Gould to be allowed to take the NCLEX.

10. Mr. Gould graduated from Jefferson College of Health Sciences in December 2015, with a 3.6 GPA. He reported having a support system of family and friends. He has been employed as a clinical associate at Carilion Roanoke Memorial Hospital since 2011 and his unit director appeared at the proceeding and spoke on his behalf.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 4, 6 and 8 constitute a violation of § 54.1-3007(6) of the Code.
2. The Committee concludes that Wayne C. Gould otherwise meets the requirements of § 54.1-3017 of the Code.

ORDER

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

1. The application of Wayne C. Gould for licensure to practice as a registered nurse in Virginia is APPROVED. Upon successful completion of the NCLEX-RN, Mr. Gould shall be issued an unrestricted license to practice professional nursing.

2. Mr. Gould shall maintain a course of conduct in his 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 on request.

Pursuant to Section 54.1-2400(10) of the Code, Mr. Gould may, not later than 5:00 p.m., on **June 3, 2016**, 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.

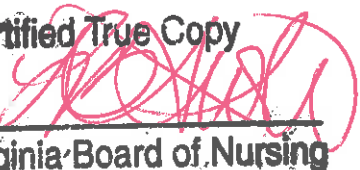
FOR THE COMMITTEE:


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

ENTERED: May 2, 2016

This Order shall become final on **June 3, 2016**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 
Virginia Board of Nursing