

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

DOROTHY N. JACOBS, L.P.N. APPLICANT

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Dorothy N. Jacobs, as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Jacobs' application for licensure by examination to practice as a practical nurse in Virginia.

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

FINDINGS OF FACT

1. Dorothy N. Jacobs submitted an application for licensure by examination to practice as a practical nurse which was received by the Board on March 6, 2010. Her primary state of residence is Virginia.
2. Ms. Jacobs may be unsafe to practice due to impairment from substance abuse, and has been convicted of several drug-related felonies, as evidenced by the following:
 - a. On February 20, 2003, Ms. Jacobs was convicted in the Circuit Court for Sarasota County, Florida, of one count of possession of marijuana with the intent to sell, a felony. She was placed on probation for a period of two years including costs and 50 hours of community service. On October 3, 2002, she was accused of violating her probation. On March 10, 2004, her probation was revoked for violation of the terms and she was sentenced to 60 days in jail with 58 days already served.
 - b. On June 18, 2002, Ms. Jacobs completed an eight week substance abuse program through First Step of Sarasota, Inc., Sarasota, Florida. She was noted to be a non-participant but remained drug free during the program. On discharge, she had a DSM IV diagnosis or impression code in Axis I of 305.60 or cocaine abuse.

c. On November 18, 2004, Ms. Jacobs was convicted in the Circuit Court for Sarasota County, Florida, of one count of possession of a controlled substance, a felony. She was sentenced to two years probation, a drug evaluation and 50 hours of community service. On January 19, 2005, her probation was revoked for violation of the terms. She was sentenced to 45 days in jail, with 25 days already served.

3. Based upon the above information, Ms. Jacobs is eligible for the Health Practitioners' Monitoring Program ("HPMP")

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(4) and (6) of the Code of Virginia (1950), as amended ("Code").

2. Ms. Jacobs otherwise meets the requirements of § 54.1-3020 of the Code.

CONSENT

Dorothy N. Jacobs, 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 neither admits nor denies the Findings of Fact and Conclusions of Law contained herein but 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 to practice as a practical nurse 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. That the application of Dorothy N. Jacobs for licensure by examination as a practical nurse is hereby APPROVED. Upon successful completion of the National Counsel Licensure Exam – Practical Nurse (NCLEX-PN) and at such time as Ms. Jacobs shall provide written evidence to the Board that she has entered the Health Practitioners’ Monitoring Program (“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, the Board shall issue Ms. Jacobs a single-state license to practice as a professional nurse.
2. Thereafter, Ms. Jacobs shall comply with the following terms and conditions:
 - a. Ms. Jacobs shall comply with all terms and conditions for the period specified by the HPMP.
 - b. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Jacobs, and an administrative proceeding shall be held to determine whether her license shall be revoked. Ms. Jacobs shall be noticed to appear before the Board at such time as:
 - i. Ms. Jacobs is not in compliance with the terms and conditions specified by the HPMP;
 - ii. Ms. Jacobs’ participation in the HPMP has been terminated;
 - iii. There is a pending investigation or unresolved allegation against Ms. Jacobs involving a violation of law, regulation, or any term or condition of this Order; or
 - iv. Ms. Jacobs has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Jacobs’s participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Jacobs’s appearance before the Board and conduct an administrative review of this matter.

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

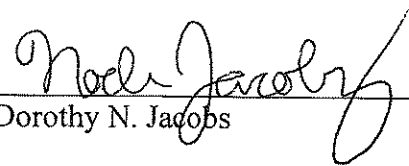
Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying upon request.

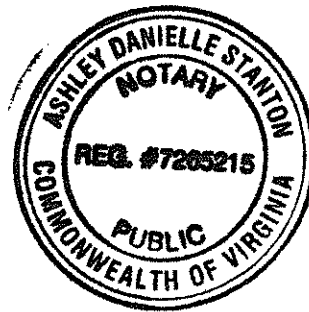
FOR THE BOARD


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

ENTERED: May 19th, 2011

SEEN AND AGREED TO:


Dorothy N. Jacobs



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

Subscribed and sworn to before me, Ashley Danielle Statton, a Notary Public, this 11 day of May, 2011.

My commission expires 3/31/2013.

Registration Number 7265215.


NOTARY PUBLIC