

Certified True Copy

By: [Signature]  
Virginia Board of Nursing



# COMMONWEALTH of VIRGINIA

David E. Brown, D.C.  
Director

Department of Health Professions

Perimeter Center  
9960 Mayland Drive, Suite 300  
Henrico, Virginia 23233-1463

www.dhp.virginia.gov  
TEL (804) 367-4400  
FAX (804) 527-4475

March 22, 2016

Diane Renee Olsen  
12536 Kempston Lane  
Woodbridge, VA 22192

**CERTIFIED MAIL**  
**DUPLICATE COPY**  
**VIA FIRST CLASS MAIL**

RE: License No.: 0001-208243

DATE 3/22/16

Dear Ms. Olsen:

Please find enclosed an Order for mandatory suspension of your license to practice nursing in the Commonwealth of Virginia. This Order has been entered, Nunc Pro Tunc to March 16, 2016, due to an administrative error in the entry date on the Order and on the Certification of Duplicate Records document. This Order replaces the previous one mailed to you on March 16, 2016.

Should you have any questions, please contact Mr. James L. Banning at (804) 367-4661.

Sincerely,

David E. Brown, D.C., Director  
Department of Health Professions

cc: Alex Scarbrough Fisher, Esquire  
Enclosures  
Case #172259

**VIRGINIA:**

**BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS**

**IN RE: DIANE RENEE OLSEN, R.N.**  
**License No.: 0001-208243**

**ORDER**

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that Diane Renee Olsen, R.N., voluntarily surrendered her privilege to practice nursing through the Nurse Licensure Compact in the State of Tennessee. Said voluntary surrender to have the same effect as a revocation. A certified copy of the Consent Order is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the license of Diane Renee Olsen, R.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Diane Renee Olsen, R.N., will be recorded as suspended and no longer current. Should Ms. Olsen seek reinstatement of her license pursuant to Section 54.1-2409 of the Code, she shall be responsible for any fees that may be required for the reinstatement and renewal of her license prior to issuance of her license to resume practice.

Pursuant to Sections 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 a public record and shall be made available for public inspection and copying upon request.



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David E. Brown, D.C., Director  
Department of Health Professions

ENTERED: March 16, 2016  
Nunc Pro Tunc



# COMMONWEALTH of VIRGINIA

David E. Brown, D.C.  
Director

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## CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Consent Order dated February 17, 2016, regarding Diane Renee Olsen, R.N., is a true copy of the records received from the Tennessee Board of Nursing.

  
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David E. Brown, D.C.

Date: March 16, 2016  
Nunc Pro Tunc

BEFORE THE TENNESSEE BOARD OF NURSING

In The Matter of:

DIANE R. OLSEN  
Virginia R.N. License No. 1208243

Respondent

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Case No. 201500723

CONSENT ORDER

The State of Tennessee, by and through the Office of General Counsel and the Respondent, Diane R. Olsen, R.N., (Respondent), hereby stipulate and agree, subject to approval by the Tennessee Board of Nursing (Board), to the following:

I. Authority and Jurisdiction

The Board regulates and supervises nurses licensed to practice pursuant to Tennessee Code Annotated Section (TENN. CODE ANN. §) 63-7-101, *et seq.* (Code), including the discipline of licensees, as well as those who are required to be licensed, who violate the Code and the Rules promulgated by the Board, Official Compilation of Rules and Regulations of the State of Tennessee (TENN. COMP. R. & REGS.), 1000-01, *et seq.* (Rules).

Tennessee is a party state to the Interstate Nurse Licensure Compact. Pursuant to TENN. CODE ANN. § 63-7-302 Article III (b), "Party states may, in accordance with state due process laws, limit or revoke the multistate licensure privilege of any nurse to practice in their state and may take any other actions under their applicable state laws necessary to protect the health and safety of their citizens." A party state may recover the costs of investigations and disposition of cases resulting from adverse action taken against the nurse and may issue cease and desist orders to limit or revoke a nurse's authority to practice in their state. TENN. CODE ANN. § 63-7-302 Article VI (a) and (c).



The Board enforces the Code and Rules to promote and protect the health, safety and welfare of the public; accordingly, it is the policy of the Board to require strict compliance with the law and to apply the law to preserve the quality of nursing care provided in Tennessee.

## **II. Stipulations of Fact**

1. Respondent has been at all times pertinent hereto licensed by the Virginia Board of Nursing as a registered nurse, having been granted license number 1208243 on July 17, 2007, which currently has an expiration date of February 28, 2017. Respondent's Virginia registered nurse license is active and bears a multistate privilege to practice nursing in states which have entered into the Interstate Nurse Licensure Compact.
2. On or about February 22, 2015, while working as a registered nurse at Saint Thomas Midtown Hospital in Nashville, Tennessee, on the multistate privilege afforded to Respondent by her Virginia nursing license, Respondent exhibited impaired behavior on duty. Respondent avers that any perceived impairment was a result of sleep deprivation.
3. On or about February 22, 2015, Respondent submitted a urine drug screen based on reasonable suspicion. The urine drug screen tested positive for cocaine. Respondent avers that she had ingested tea brought back to the United States from a vacation to Bolivia which contained coca leaves prior to the drug test.

## **III. Stipulated Grounds for Discipline**

The Stipulations of Fact are sufficient to establish that Respondent has violated TENN. CODE ANN. § 63-7-101, *et seq.*, for which disciplinary action by the Board is authorized.

4. The facts stipulated in paragraphs two (2) through three (3) constitute a violation of TENN. CODE ANN. § 63-7-115(a)(1):

(F) Is guilty of unprofessional conduct.

5. The facts stipulated in paragraphs two (2) through three (3) constitute a violation of TENN. CODE ANN. § 63-7-302:

**ARTICLE III – General Provisions and Jurisdiction.**

- (b) Party states may, in accordance with state due process laws, limit or revoke the multistate licensure privilege of any nurse to practice in their state and may take any other actions under their applicable state laws necessary to protect the health and safety of their citizens. If a party state takes such action, it shall notify the administrator of the coordinated licensure information system. The administrator of the coordinated licensure information system shall promptly notify the home state of any such actions by remote states.
- (c) Every nurse practicing in a party state must comply with the state practice laws of the state in which the patient is located at the time care is rendered. In addition, the practice of nursing is not limited to patient care, but shall include all nursing practice as defined by the state practice laws of a party state. The practice of nursing will subject a nurse to the jurisdiction of the nurse licensing board and the courts, as well as the laws, in that party state.

**ARTICLE V – Adverse Actions.**

- (c) A remote state may take adverse action affecting the multistate licensure privilege to practice within that party state. However, only the home state shall have the power to impose adverse action against the license issued by the home state.
- (d) For purposes of imposing adverse action, the licensing board of the home state shall give the same priority and effect to reported conduct received from a remote state as it would if such conduct had occurred within the home state. In so doing, it shall apply its own state laws to determine appropriate action.
- (e) The home state may take adverse action based on the factual findings of the remote state, so long as each state follows its own procedures for imposing such adverse action.

**IV. Stipulated Disposition**

6. For the purpose of avoiding further administrative action with respect to this cause, Respondent agrees to **VOLUNTARILY SURRENDER** her privilege to practice nursing in the State of Tennessee, beginning the effective date of this Order. Respondent understands that a voluntary surrender has the same effect as a revocation.
7. Respondent further agrees to **CEASE and DESIST** the practice of nursing in the State of

Tennessee beginning the effective date of this Order.


#### V. Representations of Respondent

8. Respondent understands and admits the allegations, charges, and stipulations in this Order.
9. Respondent understands the rights found in the Code, Rules, and the Uniform Administrative Procedures Act, TENN. CODE ANN. §§ 4-5-101 thru 4-5-404, including the right to a hearing, the right to appear personally and by legal counsel, the right to confront and to cross-examine witnesses who would testify against Respondent, the right to testify and to present evidence on Respondent's own behalf, as well as to the issuance of subpoenas to compel the attendance of witnesses and the production of documents, as well as the right to appeal for judicial review. Respondent voluntarily waives these rights in order to avoid further administrative action.
10. Respondent agrees that presentation of this Order to the Board and the Board's consideration of it and all matters divulged during that process shall not constitute unfair disclosure such that the Board or any of its members become prejudiced requiring their disqualification from hearing this matter should this Order not be ratified. All matters, admissions, and statements disclosed during the attempted ratification process shall not be used against the Respondent in any subsequent proceeding unless independently entered into evidence or introduced as admissions.
11. Respondent also agrees that the Board may issue this Order without further process. If the Board rejects this Order for any reason, it will be of no force or effect for either party.
12. Respondent agrees that she has not received any threats or promises of any kind by the State or any agent or representative thereof, except such as is detailed herein.


VI. Notice

13. The revocation is a formal disciplinary action and will be reported to the National Practitioner Data Bank (NPDB).

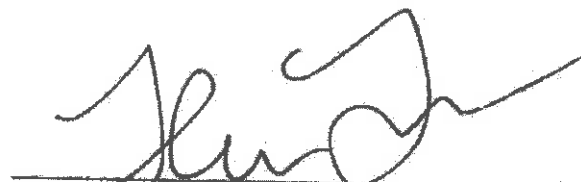
**APPROVED FOR ENTRY:**

  
Diane R. Olsen  
Virginia R.N. License No. 1208243  
Respondent

12/28/15  
DATE

  
Alex Scarbrough Fisher (BPR # 31391)  
Attorney for Respondent

1/4/15  
DATE

  
Hannah M. Lanford (BPR # 32218)  
Assistant General Counsel  
Tennessee Department of Health  
Office of General Counsel  
665 Mainstream Drive, Second Floor  
Nashville, Tennessee 37243  
(615) 741-1611

2/17/16  
DATE



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**Approval by the Board**

Upon the agreement of the parties and the record as a whole, this **CONSENT ORDER** was approved as a **FINAL ORDER** by a majority of a quorum of the Tennessee Board of Nursing at a public meeting of the Board and signed this 17<sup>th</sup> day of February, 2016.

**ACCORDINGLY, IT IS ORDERED** that the agreements of the parties will, and hereby do, become the Final Order of the Board.


  
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Chairperson/Acting Chairperson  
Tennessee Board of Nursing

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of this document has been served upon the Respondent, Diana R. Olsen, by and through Respondent's attorney, Alex Scarbrough Fisher, Thompson Burton PLLC, 6100 Tower Circle, Suite 200, Franklin, Tennessee 37067, by delivering same in the United States regular mail and United States certified mail, number 7015 1520 00033865 0264, return receipt requested, with sufficient postage thereon to reach its destination.

This 18<sup>th</sup> day of February, 2016.

  
\_\_\_\_\_  
Hannah M. Lanford  
Assistant General Counsel