

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       JOSEPH WALKER, L.P.N.**  
**License No.: 0002-083784**

**CONSENT ORDER**

The Virginia Board of Nursing ("Board") and Joseph Walker, L.P.N., as evidenced by his signature hereto, enter into the following Consent Order affecting Mr. Walker's license to practice practical nursing in Virginia.

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

**FINDINGS OF FACT**

1. Joseph Walker, L.P.N., was issued License No. 0002-083784 to practice practical nursing by the Virginia Board of Nursing on November 17, 2010. Said license is set to expire on October 31, 2014. His primary state of residence is Virginia.
2. During the course of his employment with Heritage Hall-Virginia Beach, Virginia Beach, Virginia, on May 16, 2013, Mr. Walker delegated to a certified nurse aide the task of administering a resident's breathing treatment, which is beyond the scope of nurse aide practice.
3. Mr. Walker's employment with Heritage Hall-Virginia Beach was terminated effective May 21, 2013, as a result of this incident.

**CONCLUSIONS OF LAW**

Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code of Virginia (1950), as amended ("Code"), and 18 VAC 90-20-300(A)(2)(d) and (f) of the Regulations Governing the Practice of Nursing.

**CONSENT**

Joseph Walker, L.P.N., by affixing his signature hereon, agrees to the following:

1. He has been advised to seek advice of counsel prior to signing this document;
2. He acknowledges that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. He acknowledges that he 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 him;
4. He waives all such right to an informal conference;
5. He admits to the Findings of Fact and Conclusions of Law contained herein and waives his right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. He consents to the entry of the following Order affecting his right to practice practical 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 as follows:

1. Joseph Walker, L.P.N., is hereby REPRIMANDED.
2. Mr. Walker shall maintain a course of conduct in his capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

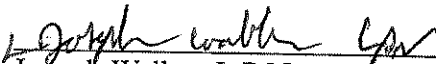
Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying upon request.

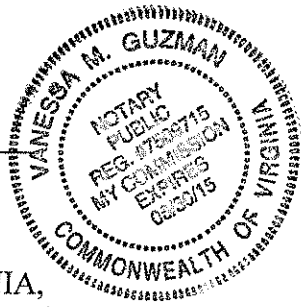
FOR THE BOARD

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

ENTERED: Feb. 7, 2014

SEEN AND AGREED TO:

  
Joseph Walker, L.P.N.



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

Subscribed and sworn to before me, Joseph K Walker Jr, a Notary Public, this 31<sup>st</sup> day of January, 2014.

My commission expires 6-30-15.

Registration Number 7509715.

  
NOTARY PUBLIC