

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:        JASON SUMNER, R.N.  
              License No.: 0001-212010**

**ORDER**

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on March 26, 2014, in Henrico County, Virginia. Jason Sumner, R.N. was present and was not represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On May 21, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Mr. Sumner was not present nor was he represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

**FINDINGS OF FACT**

1. Jason Sumner, R.N., was issued License No. 0001-212010 to practice professional nursing in Virginia on April 7, 2008. The license is scheduled to expire on November 30, 2015. His primary state of residence is Virginia.
2. By letter dated February 25, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Mr. Sumner notifying him that an informal conference would be held on March 26, 2014. The Notice was sent by certified and first class mail to 4410 Breezy Bay Circle, Apartment 101, Richmond, Virginia 23805, the address of record on file with the Board of Nursing.
3. Mr. Sumner acknowledged a history of excessive alcohol use. He was hospitalized in June and September 2013 for treatment of alcohol abuse. He continues to be treated for alcohol abuse,

depression, and anxiety.

4. Mr. Sumner was employed at McGuire VA Medical Center for approximately six years. His employment was terminated in February 2014 due to excessive absences. He is currently working for Care South Home Health Agency, which was not aware that he was being investigated by the Board.

5. At the informal conference, Mr. Sumner stated that he sees a psychiatrist monthly, has seen a clinical social worker, attends at least three AA and/or NA meetings a week, and talks with his sponsor every day. He expressed a willingness to enter into the Health Practitioners' Monitoring Program ("HPMP").

### **CONCLUSIONS OF LAW**

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(6) of the Code.

### **ORDER**

WHEREFORE, it is hereby ORDERED as follows:

1. The Board shall TAKE NO ACTION contingent on the following conditions:

a. Jason Sumner, R.N., shall enter into a contract with the Health Practitioners' Monitoring Program within 45 days of the date of entry of this Order.

b. Thereafter, Mr. Sumner shall comply with the terms and conditions of the HPMP for the period specified by the HPMP.

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

a. He has failed to make application to the HPMP;

b. He is not in compliance with the terms and conditions of the HPMP, or has been

terminated from participation in the HPMP;

c. There is a pending investigation or unresolved allegation against him involving a violation of law or regulation or any term or condition of this Order; or

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

3. This Order is applicable to Mr. Sumner's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Mr. Sumner 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 he wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

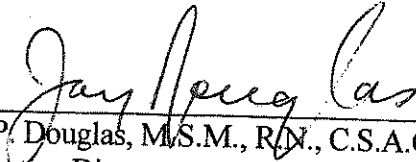
4. Mr. Sumner shall maintain a course of conduct in his capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

Pursuant to § 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.

Pursuant to Section 54.1-2400(10) of the Code, Mr. Sumner may, not later than 5:00 p.m., on July 8, 2014, 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 BOARD:



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

ENTERED: June 5<sup>th</sup>, 2014

This Order shall become final on July 8, 2014, unless a request for a formal administrative hearing is received as described above.

**Certified True Copy**

By   
**Virginia Board of Nursing**