



# COMMONWEALTH of VIRGINIA

David E. Brown, D.C.  
Director

## Department of Health Professions

Perimeter Center  
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Henrico, Virginia 23233-1463

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Virginia Board of Nursing  
Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director

Board of Nursing (804) 367-4515  
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## NOTICE OF INFORMAL CONFERENCE

November 18, 2015

Walter Echols, R.N.  
3735 Kentland Drive  
Roanoke, VA 24018

**UPS OVERNIGHT MAIL**

Re: VA License No.: 0001-119880  
Expiration Date: October 31, 2016

Dear Mr. Echols:

This is official notification that an informal conference will be held pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), on **December 8, 2015, at 1:00 p.m.** at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233. You may be represented by an attorney at the conference. This informal conference will be convened as a public meeting pursuant to § 2.2-3700 *et seq.* of the Code.

The Special Conference Committee ("Committee"), which is comprised of at least two members of the Virginia Board of Nursing ("Board"), will inquire into allegations that you may have violated certain laws and regulations governing nursing practice in Virginia.

Specifically, during the course of your employment with Carilion Roanoke Memorial Hospital, Roanoke, Virginia:

1. You may have violated § 54.1-3007(2), (5), (6), and (8) of the Code and 18 VAC 90-20-300(A)(2)(c), (e), and (f) of the Regulations Governing the Practice of Nursing ("Regulations") in that on or about December 31, 2014, at approximately 6:56 a.m., you diverted two 5-mg tablets of oxycodone (C-II) for your personal and unauthorized use, which you accomplished by withdrawing the medication and failing to account for its administration, wastage or return, and you falsely documented administering prescribed medication to Patient A at 5:01 a.m.

2. You may have violated § 54.1-3007(2), (5) and (6) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations in that you diverted medication for your personal and unauthorized use as follows:

- a. On or about December 5, 2014, at approximately 4:03 a.m., you withdrew two 325-mg tablets of acetaminophen for Patient B and failed to account for their administration, wastage or return.
  - b. On or about December 3, 2014, at approximately 4:33 a.m., you withdrew one 5-mg tablet of oxycodone for Patient C and failed to account for its administration, wastage or return.
  - c. On or about October 14, 2014, at approximately 4:31 a.m., you withdrew two 1-mg tablets of Lorazepam (C-IV) for Patient D and failed to account for their administration, wastage or return.
3. You may have violated § 54.1-3007(5) and (6) of the Code in that on or about December 31, 2014, you were observed sleeping while on duty, and you appeared impaired in that you had difficulty remaining awake.
4. You may have violated § 54.1-3007(2), (5), and (6) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations in that during the course of your employment with Carilion Clinic Roanoke Memorial Hospital, Roanoke, Virginia, you diverted medication for your personal and unauthorized use as follows:
- a. On or about December 12, 2009, you withdrew two hydrocodone 5/325 mg (C-II) tablets at 12:50 p.m. for Patient E and failed to account for the administration, wastage or return of one tablet.
  - b. On or about December 14, 2009, you withdrew two tablets of oxycodone at 9:16 a.m. for Patient F and failed to account for the administration, wastage or return of that medication.
  - c. On or about December 30, 2009, you withdrew two tablets of alprazolam (C-IV) for Patient G at 7:29 a.m. and failed to account for the administration, wastage or return of one tablet.
  - d. On or about December 12, 2009, you withdrew two tablets of alprazolam for Patient H at 11:14 a.m. and failed to account for the administration, wastage or return of one tablet.
  - e. On or about March 5, 2010, you withdrew two tablets of clonazepam (C-IV) for Patient I at 9:41 a.m. and two more at 1:43 p.m. and failed to account for the administration, wastage or return of one tablet from each withdrawal.
  - f. On or about March 7, 2010, you withdrew two tablets of lorazepam (C-IV) for Patient J at 2:39 p.m. and two more tablets at 3:39 p.m. for Patient J and failed to account for the administration, wastage or return of one tablet from each withdrawal.

Please see Attachment I for the names of the patients referred to above.

In its deliberations, the Committee may use the Sanction Reference Points System, as contained in the Sanction Reference Manual. The manual, which is a guidance document of the Board, may be accessed at <http://www.dhp.virginia.gov/nursing>. Please click on *Guidance Documents*, then select #90-7. You may also request a paper copy from the Board office by calling (804) 367-4515.

Since the allegations listed above involve impairment, please be advised that you may make application to the Health Practitioners' Monitoring Program ("HPMP"), which is available to all health care practitioners licensed in Virginia. Information about the HPMP is enclosed. Should you enter into a written agreement with the HPMP prior to your informal conference; the Committee will take that into consideration when deciding your case.

After the informal conference, the Committee is authorized by § 54.1-2400(10) of the Code to take any of the following actions:

- If the Committee finds that there is insufficient evidence to warrant further action or that the charges are without foundation, the Committee shall notify you by mail that your record has been cleared of any charge which might affect your right to practice nursing in the Commonwealth;
- The Committee may place you on probation for such time as it may designate and subject to such terms and conditions as it may deem appropriate;
- The Committee may reprimand you;
- The Committee may impose a monetary penalty.

Further, the Committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing. If the Committee is of the opinion that suspension or revocation may be justified, the Committee may offer you a Consent Order for suspension or revocation in lieu of a formal hearing.

If you fail to appear at the informal conference, the Committee may proceed to hear the case in your absence and may take any of the actions outlined above. At least ten days prior to the scheduled date of the conference, please inform this office at (804) 367-4515, or in writing at the address listed above, of your telephone number and whether you intend to appear at the informal conference.

To facilitate this proceeding, you should submit five copies of any documents you wish the Committee to consider to the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, by December 3, 2015. Your documents may not be submitted by facsimile or email.

You have the right to the information on which the Board will rely in making its decision. Therefore, I have enclosed a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the original notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of nursing and other healing arts in Virginia cited in this notice, can be found on the Internet at <http://leg1.state.va.us>. To access this information, please click on the *Code of Virginia* for statutes and *Virginia Administrative Code* for regulations.

In the event of inclement weather, please be advised that Board of Nursing hearings will be held unless state offices are closed. Please listen to television or radio announcements to provide information about official state closings or delays. If there is a delayed opening, hearings will begin at the time of the agency opening. A recorded announcement pertaining to closings or delays will also be available by calling the main telephone number for the Department of Health Professions at (804) 367-4400.

Sincerely,



Gloria D. Mitchell-Lively, R.N., M.S.N., M.B.A.  
Deputy Executive Director, Discipline

GML/dt

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division  
Special Conference Committee Members  
David W. Kazzie, Adjudication Specialist  
Denise Sexton, Senior Investigator (Case No. 162020, 131418)