

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: GRACE I. JOHNSON, R.N.
License No.: 0001-118026**

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 May 14, 2014 in Henrico County, Virginia. Grace I. Johnson, R.N., was present and was not represented by legal counsel. Janet Younger, Ph.D., R.N., P.N.P., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On July 16, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Johnson was not present nor was she 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. Grace I. Johnson, R.N., was issued License No. 0001-118026 to practice professional nursing in Virginia on March 7, 1990. The license is scheduled to expire on December 31, 2015. Her primary state of residence is Virginia.
2. By letter dated April 11, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Johnson notifying her that an informal conference would be held on May 14, 2014. The Notice was sent by certified and first class mail to 31288 Indiantown Road, Locust Grove, Virginia 22508, the address of record on file with the Board of Nursing.
3. Ms. Johnson suffers from alcohol abuse or dependence, as evidenced by the following: on December 31, 2013, she was arrested for driving under the influence in Orange County, Virginia, and her

blood alcohol level was more than .20 mg/dL. On January 10, 2013, in the General District Court of Page County, Virginia, Ms. Johnson was convicted of driving under the influence, for an offense where her blood alcohol level was more than .20 mg/dL.

4. Ms. Johnson stated at the informal conference that the most recent arrest occurred because she was upset about something that had happened at work and was drinking vodka on her way home. She was scheduled to return to court in Orange on this charge on May 27, 2014. She stated that she was facing a term of incarceration and intended to enter the Health Practitioners' Monitoring Program ("HPMP") after her release.

5. Ms. Johnson received inpatient treatment for depression at Snowden of Fredericksburg from January 6 to January 10, 2014. She provided evidence that she has entered the Women's Alternative group program at the Culpeper, Virginia Behavioral Health Clinic. She acknowledged her addiction to alcohol and stated that her date of sobriety was December 31, 2013.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(6) of the Code.
2. Ms. Johnson is a candidate for the HPMP.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. The Board shall TAKE NO ACTION contingent on the following conditions:
 - a. Grace I. Johnson, R.N., shall enter into a contract with the HPMP within 60 days of the entry of this Order.
 - b. Thereafter, Ms. Johnson shall comply with all 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 Ms. Johnson, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Johnson shall be noticed to appear before the Board at such time as the Board is notified that:

- a. She has failed to make application to the HPMP;
- b. She 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 her involving a violation of law or regulation or any term or condition of this Order; or
- d. She has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of evidence of Ms. Johnson's participation in and compliance with the HPMP, the Board, at its discretion, may waive her appearance before the Board and conduct an administrative review of this matter.

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


4. Ms. Johnson shall maintain a course of conduct in her 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, Ms. Johnson may, not later than 5:00 p.m., on September 3, 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 she 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:


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

ENTERED: August 1, 2014

This Order shall become final on September 3, 2014 unless a request for a formal administrative hearing is received as described above.