

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

November 13, 2015

William Earl Curtis, III
5617 Overlook Drive
E. Keystone Heights, FL 32656

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL

DATE 11/13/15

RE: License No.: 0002-072877

Dear Mr. Curtis:

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your license to practice nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered November 13, 2015. You are hereby advised that, pursuant to Section 54.1-2409.1 of the Code, any person who practices a profession or occupation after having their license or certificate to do so suspended shall be guilty of a felony. Please return your license to Jay P. Douglas, Executive Director of the Virginia Board of Nursing, at the above address, immediately upon receipt of this letter.

Section 54.1-2409 of the Code further provides that you may apply to the Board of Nursing ("Board") for reinstatement of your license, and shall be entitled to a hearing not later than the next regular meeting of the Board after the expiration of sixty days from the receipt of such reinstatement application. You have the following rights, among others: to be represented by legal counsel, to have witnesses subpoenaed on your behalf, to present documentary evidence and to cross-examine adverse witnesses. The reinstatement of your license shall require the affirmative vote of three-fourths of the members present of the Board of Nursing.

Should you wish to petition the Board of Nursing for reinstatement of your license, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4599.

RECEIVED

Sincerely,

NOV 16 2015

VA BD OF NURSING

[Signature]

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

cc: Richard Komando, Esquire

Enclosures

Case # 170454

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: WILLIAM EARL CURTIS, III, L.P.N.
License No.: 0002-072877

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 the license of William Earl Curtis, III, L.P.N., to practice nursing in the State of Florida was suspended by a Final Order dated October 20, 2015. A certified copy of the Final 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 privilege of William Earl Curtis, III, L.P.N., to renew his license to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of William Earl Curtis, III, L.P.N., will be recorded as suspended and no longer current. Should Mr. Curtis seek reinstatement of his license pursuant to Section 54.1-2409 of the Code, he shall be responsible for any fees that may be required for the reinstatement and renewal of his license prior to issuance of his 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.

RECEIVED

NOV 16 2015

VA BD OF NURSING



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

ENTERED: 11/13/15



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

CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Final Order dated October 20, 2015, regarding William Earl Curtis, III, L.P.N., is a true copy of the records received from the State of Florida Board of Nursing.



David E. Brown, D.C.

Date: 11/13/15

STATE OF FLORIDA
BOARD OF NURSING

Final Order No. DOH-15-1656-⁹ -MQA

FILED DATE **OCT 21 2015**
Department of Health

By: Angela Sanders
Deputy Agency Clerk

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2014-07558
License No.: PN 5171628

WILLIAM EARL CURTIS, III,

Respondent.

FINAL ORDER

THIS CAUSE came before the BOARD OF NURSING (Board) pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on October 8, 2015, in Lake Mary, Florida, for the purpose of considering a settlement agreement (attached hereto as Exhibit A) entered into between the parties in this cause. Upon consideration of the settlement agreement, the documents submitted in support thereof, the arguments of the parties, and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that the settlement agreement as submitted be and is hereby approved and adopted in toto and incorporated herein by reference. Accordingly, the parties shall adhere to and abide by all the terms and conditions of the settlement agreement. The investigative costs are \$944.50.

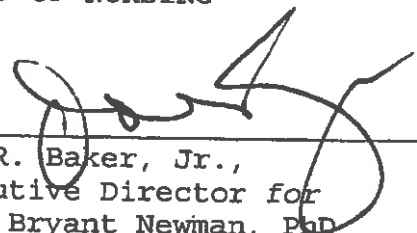
This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

Case No. 2014-07558



DONE AND ORDERED this 20^r day of Oct, 2015.

BOARD OF NURSING



Joe R. Baker, Jr.,
Executive Director for
Jody Bryant Newman, PhD
Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to WILLIAM EARL CURTIS, III, 5617 Overlook Drive E, Keystone Heights, Florida 32656 and Richard Komando, Esq., 1279 Kingsley Avenue, Suite 118, Orange park, Florida 32073; and by email to Dept. of Health - PSU, at Matthew.Witters@flhealth.gov and by email to Lee Ann Gustafson, Senior Assistant Attorney General, at LeeAnn.Gustafson@myfloridalegal.com this 21st day of October, 2015.

7014 2120 0003 8706 6193

W. Curtis, III



Deputy Agency Clerk

Richard Komando, Esq.

7014 2120 0003 8706 6209

Case No. 2014-07558

2015 JUL 22 AM 9:24

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

Case No. 2014-07558

WILLIAM EARL CURTIS, III, L.P.N.,

RESPONDENT.

SETTLEMENT AGREEMENT

Pursuant to Section 120.57(4), Florida Statutes, the above named parties hereby offer this Settlement Agreement (Agreement) and agree to entry of a Final Order of the Board of Nursing (Board) incorporating this Agreement as disposition of the Administrative Complaint, in lieu of any other administrative proceedings. The terms herein become effective only if and when a Final Order accepting this Agreement is issued by the Board and filed with the Department of Health Agency Clerk.

In considering this Agreement, the Board may review all materials gathered during the investigation of this case. If this Agreement is

rejected, it, and its presentation to the Board, shall not be used against either party.

STIPULATED FACTS

1. At all times material to this matter, Respondent was a Licensed Practical Nurse in the State of Florida holding license number 5171628.

2. The Department charged Respondent with an Administrative Complaint that was properly served upon Respondent with violations of Chapters 456 and/or 464, Florida Statutes. A true and correct copy of the Administrative Complaint is attached hereto and incorporated by reference as Exhibit A.

3. Respondent neither admits nor denies the factual allegations contained in the Administrative Complaint.

STIPULATED LAW

1. Respondent admits that he/she is subject to the provisions of Chapters 456 and 464, Florida Statutes, and the jurisdiction of the Department and the Board.

2. Respondent admits that the stipulated facts, if proven true, constitute violations of Chapter 456 and/or 464, Florida Statutes as alleged in the Administrative Complaint.

3. Respondent agrees that the Agreement is a fair, appropriate, and reasonable resolution of this pending matter.

DISPOSITION

1. The Respondent shall pay investigative costs not to exceed ONE THOUSAND NINE HUNDRED THIRTY-THREE DOLLARS AND NINETY-SEVEN CENTS (\$1,933.97) within one (1) year from the date of entry of the Final Order. Payment shall be made to the Board of Nursing and mailed to, DOH/HMQACS, Compliance Management Unit, Bin C76, Post Office Box 6320, Tallahassee, Florida 32314-6320, Attention: Nursing Compliance Officer. **Payment must be made by cashier's check or money order ONLY.** Personal checks will **NOT** be accepted.

2. Respondent's license to practice as a licensed practical nurse will be suspended for a period of six (6) months.

3. Respondent's license shall be placed on **probation** for eighteen (18) months following the termination of the suspension outlined in paragraph (2) two above, subject to the following conditions:

- a. The Respondent shall not violate Chapter 456 or 464, Florida Statutes, the rules promulgated pursuant thereto, any other state or federal law, rule, or regulation relating to the practice or the ability to practice nursing. Violation of an order from another state/jurisdiction shall constitute grounds for violation of the Final Order accepting this Settlement Agreement.
- b. The Respondent must report any change in address, telephone number, employment, employer's address or telephone number, or any arrests [or violations of probation or whatever impediment which may be on the license from another jurisdiction], in writing within ten (10) working days to the DOH-Compliance Management Unit, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3276, Attention: Nursing Compliance Officer.
- c. Whether employed as a nurse or not, the Respondent shall submit written reports to the Nursing Compliance Officer, which shall contain the Respondent's name, license number, and current address; the name, address, and phone number of each current employer; and a statement by the Respondent describing her/his employment. This report shall be submitted

to the Nursing Compliance Officer every three (3) months in a manner as directed by the Nursing Compliance Officer.

- d. All current and future settings in which the Respondent practices nursing shall be promptly informed of the Respondent's probationary status. Within five days of the receipt of the Final Order accepting this Settlement Agreement, the Respondent shall furnish a copy to her/his nursing supervisor or supervisors, if there are multiple employers. If the Respondent is enrolled in a nursing program, the Respondent's clinical instructors shall serve as the Respondent's supervisors in addition to any supervisors at the Respondent's place of employment. The supervisors must acknowledge this probation to the Nursing Compliance Officer in writing on employer letterhead within ten days. Should the Respondent change employers, she/he must supply a copy of the Final Order accepting this Settlement Agreement to her/his new nursing supervisor within five days. The new employer shall acknowledge probation in writing on employer letterhead to the Nursing Compliance Officer within ten days. The Respondent shall be responsible for assuring that reports from nursing supervisors will be furnished to the Nursing Compliance Officer every three (3) months. That report shall describe the Respondent's work assignment, work load, level of performance, and any problems. Any report indicating an

unprofessional level of performance shall be a violation of probation.

4. Respondent's failure to comply with the terms of the Final Order without the prior written consent of the Board shall be a violation of this probation. The probation shall not be terminated until the Respondent has complied with all terms of probation. The failure to comply with the terms of probation set forth above shall result in a subsequent Uniform Complaint Form being filed by the Board with the Department of Health against the Respondent's license, which may result in additional administrative fines, probationary periods, and/or suspensions being imposed against the Respondent's license.

4. The terms of the Final Order are effective as of the date the Final Order is filed with the clerk for the Department of Health. The Board office will send the Respondent information regarding probationary terms, however, failure of the Respondent to receive such information **DOES NOT EXCUSE COMPLIANCE** with the terms of the Final Order accepting this Settlement Agreement.

STANDARD LANGUAGE

1. The Respondent shall not violate Chapter 456 or 464, Florida Statutes, the rules promulgated pursuant thereto, any other state or federal law, rule, or regulation relating to the practice or the ability to practice nursing. Violation of an order from another state/jurisdiction shall constitute grounds for violation of the Final Order accepting this Settlement Agreement.

2. It is expressly understood that this Settlement Agreement is subject to the approval of the Department and the Board, and has no force and effect until a Final Order is entered accepting this Settlement Agreement.

3. This Settlement Agreement is executed by the Respondent for the purpose of avoiding further administrative action by the Board of Nursing regarding the acts or omissions specifically set forth in the Administrative Complaint attached hereto. In this regard, Respondent authorizes the Board to review and examine all Investigative file materials concerning Respondent prior to, or in conjunction with, consideration of the Agreement. Furthermore, should this Settlement

Agreement not be accepted by the Board, it is agreed that presentation to, and consideration of, this Settlement Agreement and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings. Respondent shall offer no evidence, testimony or argument that disputes or contravenes any stipulated fact or conclusion of law.

4. Respondent and the Department fully understand that this Settlement Agreement and subsequent Final Order Incorporating same will in no way preclude additional proceedings by the Board and/or Department against the Respondent for acts or omissions not specifically set forth in the Administrative Complaint attached hereto. This Agreement relates solely to the current disciplinary proceedings arising from the above-mentioned Administrative Complaint and does not preclude further action by other divisions, departments, and/or sections of the Department, including but not limited to the Agency for Health Care Administration's Medicaid Program Integrity Office.

5. The Respondent waives the right to seek any attorney's fees or costs from the Department in connection with this disciplinary proceeding.

6. Respondent waives all rights to appeal and further review of this Agreement and these proceedings.

WHEREFORE, the parties hereto request the Board enter a Final Order accepting and implementing the terms of the Settlement Agreement contained herein.

(Signatures follow on next page.)

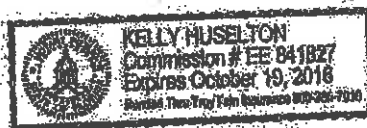
SIGNED this 16 day of July, 2015.

William E. Curtis III
William Curtis, III

STATE OF FLORIDA
COUNTY OF CLAY

Before me personally appeared WILLIAM E. CURTIS III whose identity is known to me by PERSONAL (type of identification), and who under oath, acknowledges that his/her signature appears above. Sworn to and subscribed before me this 16th day of July, 2015.

Kelly Huselton
Notary Public
My Commission Expires:



APPROVED this 23rd day of July, 2015.

John H. Armstrong, MD, FACS
State Surgeon General and
Secretary of Health

Judson Searcy
Judson Searcy

Assistant General Counsel
FBN: 98772

Department of Health
Prosecution Services Unit
4052 Bald Cypress Way, BIN #C-65
Tallahassee, Florida 32399-3265
Telephone (850) 245-4444
Facsimile (850) 245-4662
Email: Judson.searcy@flhealth.gov

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2014-07558

WILLIAM EARL CURTIS, III, L.P.N.,

RESPONDENT.

ADMINISTRATIVE COMPLAINT

COMES NOW, Petitioner, Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Nursing against Respondent, William Earl Curtis, III, L.P.N., and in support thereof alleges:

1. Petitioner is the state agency charged with regulating the practice of nursing pursuant to Section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 464, Florida Statutes.

2. At all times material to this Administrative Complaint, Respondent was a licensed practical nurse (LPN) within the state of Florida, having been issued license number PN 5171628.




3. Respondent's address of record is 5617 Overlook Drive East, Keystone Heights, Florida 32656.
4. At all times material to this Administrative Complaint, Respondent also held Florida paramedic certificate number 200404.
5. At all times material to this Administrative Complaint, Respondent was employed by Putnam County Fire and EMS as a paramedic.
6. On or about May 9, 2014, Respondent brought a patient into the emergency room for Putnam Community Medical Center in cardiac arrest.
7. Sometime after the patient was taken to the hospital, Respondent stole either twenty or forty dollars from the patient's wallet.
8. Section 464.018(1)(h), Florida Statutes (2013), provides that unprofessional conduct as defined by board rule constitutes grounds for disciplinary action.
9. Rule 64B9-8.005(4), Florida Administrative Code, provides that unprofessional conduct includes stealing from a patient.
10. Respondent engaged in unprofessional conduct by stealing twenty or forty dollars from a patient's wallet.

11. Based on the foregoing, Respondent violated Section 464.018(1)(h), Florida Statutes (2013), by engaging in unprofessional conduct as defined by Rule 64B9-8.005(4), Florida Administrative Code, to include stealing from a patient.

WHEREFORE, the Petitioner respectfully requests that the Board of Nursing enter an order imposing one or more of the following penalties: permanent revocation or suspension of Respondent's license, restriction of practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, corrective action, refund of fees billed or collected, remedial education and/or any other relief that the Board deems appropriate.

SIGNED this 25th day of March, 2015.

John H. Armstrong, MD, FACS
State Surgeon General and Secretary of Health


JUDSON SEARCY
Assistant General Counsel
Fla. Bar No. 98772
Florida Department of Health
4052 Bald Cypress Way, Bin #C65
Tallahassee, FL 32399-3265
Telephone: (850) 245-4444 ex. 8100
Facsimile: (850) 245-4683
Email: judson.searcy@flhealth.gov

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK: Angie R. Conway
DATE: 3/26/15

PCP: 03/24/2015

PCP Members: Whitson & Habgood

NOTICE OF RIGHTS

Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested.

NOTICE REGARDING ASSESSMENT OF COSTS

Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to Section 456.072(4), Florida Statutes, the Board shall assess costs related to the investigation and prosecution of a disciplinary matter, which may include attorney hours and costs, on the Respondent in addition to any other discipline imposed.