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VA BD OF NURSING

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: NICOLE HIRT DOROSKI, R.N. REINSTATEMENT

0001217328

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Nicole Hirt Doroski, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Doroski's license to practice professional nursing in Virginia.

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

FINDINGS OF FACT

1. Nicole Hirt Doroski, R.N., was issued License No. 0001-217328 to practice professional nursing by the Virginia Board of Nursing on February 17, 2009. Said license was suspended pursuant to § 54.1-2409 of the Code of Virginia (1950), as amended ("Code"), by Order of the Virginia Department of Health Professions entered May 5, 2010, based on the suspension of Ms. Doroski's license to practice professional nursing in the State of Ohio on March 19, 2010. By Order of the Board entered September 28, 2010, said license was reinstated and then indefinitely suspended, with said suspension stayed upon the condition that Ms. Doroski enter into a Recovery Monitoring Contract with the Virginia Health Practitioners' Monitoring Program ("HPMP") and comply with all terms and conditions of the HPMP.
2. Ms. Doroski entered into a Recovery Monitoring Contract with the HPMP on September 13, 2010. By letter dated June 3, 2011, the HPMP indicated that Ms. Doroski is in full compliance with her Recovery Monitoring Contract.
3. On May 6, 2011, Ms. Doroski's license was again suspended by the Virginia Department of Health Professions pursuant to § 54.1-2409 of the Code, based on an Order of the State of Florida Board of Nursing entered April 10, 2011, accepting Ms. Doroski's relinquishment of her license to practice

professional nursing in the State of Florida. By Consent Order of the Board entered July 19, 2011, said license was reinstated and then indefinitely suspended, with said suspension stayed upon the condition that Ms. Doroski remains compliant with all terms and conditions of the HPMP.

4. On September 17, 2013, Ms. Doroski's license was again suspended by the Virginia Department of Health Professions pursuant to § 54.1-2409 of the Code, based on a Consent Agreement and Order of the Commonwealth of Pennsylvania Board of Nursing entered July 18, 2013, indefinitely suspending her license to practice as a registered nurse in the Commonwealth of Pennsylvania.

5. All of these other state actions were based on Ms. Doroski's abuse and diversion of narcotic medications in the State of Ohio in 2008, captured in the March 19, 2010 Ohio Board Order and already considered and acted upon by the Virginia Board of Nursing at the September 2010 Formal Hearing.

6. Ms. Doroski submitted an application for reinstatement of her license which was received by the Board on October 3, 2013.

7. Ms. Doroski also holds an expired license to practice professional nursing in the District of Columbia. Her primary state of residence is Virginia.

8. By letter dated October 1, 2013, the HPMP Case Manager indicated that Ms. Doroski is in full compliance with her Recovery Monitoring Contract and has been determined safe to return to practice.

CONCLUSIONS OF LAW

The matter of the reinstatement of Ms. Doroski's license to practice nursing in the Commonwealth of Virginia is properly before the Board.

CONSENT

Nicole Hirt Doroski, by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;

2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to a formal fact finding hearing 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 her;
4. She waives all such right to a formal hearing;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice professional 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. License No. 0001-217328 of Nicole Hirt Doroski to practice professional nursing in the Commonwealth of Virginia is hereby REINSTATED.
2. License No. 0001-217328 of Nicole Hirt Doroski is hereby INDEFINITELY SUSPENDED. Said suspension shall be STAYED upon the following conditions:
 - a. Ms. Doroski shall continue to comply with all terms and conditions of the HPMP for the period specified by the HPMP.
 - b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Ms. Doroski, and an administrative

proceeding shall be held to determine whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:

- i. Ms. Doroski is not in compliance with the terms and conditions specified by the HPMP;
- ii. Ms. Doroski's participation in the HPMP has been terminated;
- iii. There is a pending investigation or unresolved allegation against Ms. Doroski involving a violation of law, regulation, or any term or condition of this order.

3. Upon receipt of evidence of Ms. Doroski's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Doroski's appearance before the Board and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

4. This Order is applicable to Ms. Doroski's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Doroski 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.

5. Ms. Doroski 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 §§ 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:

Jane Ingalls
Jane R. Ingalls, R.N., Ph. D.
President, Virginia Board of Nursing

ENTERED: November 20, 2013

SEEN AND AGREED TO:

Nicole Hirt Doroski RN
Nicole Hirt Doroski, R.N.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Fairfax, TO WIT:

Subscribed and sworn to before me, Asim N. Zubair, a Notary Public, this 29 day of October, 2013.

My commission expires: 6/30/2017

Registration Number 7258421

Asim N. Zubair
NOTARY PUBLIC



Certified True Copy
By dgraham
Virginia Board of Nursing