

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: GENE FLETCHER, R.N.
License No.: 0001-216644**

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Gene Fletcher, R.N., as evidenced by his signature hereto, enter into the following Consent Order affecting Mr. Fletcher's license to practice professional nursing in Virginia.

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

FINDINGS OF FACT

1. Gene Fletcher, R.N., was issued License No. 0001-216644 to practice professional nursing by the Virginia Board of Nursing on December 17, 2008. Said license is set to expire on December 31, 2012. His primary state of residence is Alabama.
2. Mr. Fletcher was issued License No. 1-088085 to practice professional nursing by the Alabama Board of Nursing on August 14, 1998. Said license is set to expire on December 31, 2012.
3. On March 7, 2011, during the course of his employment with Aureus Medical Group, Omaha, Nebraska, Mr. Fletcher had a positive urine drug screen for marijuana.
4. Mr. Fletcher's employment was terminated on March 21, 2011, as a result of this drug screen.
5. By his own admission, Mr. Fletcher consumed marijuana over a period of several days in February 2011.
6. On July 22, 2011, Mr. Fletcher entered into a consent order with the Alabama Board of Nursing placing him on probation with terms and conditions for a period of 12 months as a result of this drug screen.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 3 and 5 constitute a violation of §54.1-3007(6) of the Code of Virginia (1950), as amended (“Code”).
2. Finding of Fact No. 6 constitutes a violation of §54.1-3007(7) of the Code.

CONSENT

Gene Fletcher, R.N., by affixing his signature hereon, agrees to the following:

1. He has been advised to seek advice of counsel prior to signing this document;
2. He acknowledges that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, §2.2-4000(A) *et seq.* of the Code;
3. He acknowledges that he has the following rights, among others: the right to an informal fact finding conference 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 him;
4. He waives all such right to an informal conference;
5. He admits to the Findings of Fact and Conclusions of Law contained herein and waives his right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. He consents to the entry of the following Order affecting his 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. Gene Fletcher, R.N., shall be placed on INDEFINITE PROBATION until such time as Mr. Fletcher has satisfied the terms and condition of his probation as imposed by Order of the Alabama Board of

Nursing entered July 22, 2011, which is attached hereto as Exhibit A.


2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Mr. Fletcher, and an administrative proceeding shall be held to decide whether his license should be revoked. Mr. Fletcher shall be noticed to appear before the Board at such time as the Board is notified that there is a pending investigation or unresolved allegation against Mr. Fletcher involving a violation of law or regulation or any term or condition of probation or this Order.

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

4. Gene Fletcher, R.N., 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 §§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


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

ENTERED: February 28th, 2012

SEEN AND AGREED TO:

Gene Fletcher, R.N.
Gene Fletcher, R.N.

ALABAMA
COMMONWEALTH OF ~~VIRGINIA~~,
COUNTY/CITY OF WINSTON, TO WIT:

Subscribed and sworn to before me, Cheryl Engle, a Notary Public, this 15th day of February, 2012.

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Dec 23, 2013
BONDED THRU NOTARY PUBLIC UNDERWRITERS

My commission expires _____
Registration Number _____

Cheryl Engle
NOTARY PUBLIC

Certified True Copy
By dgraham
Virginia Board of Nursing