

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: DEE WAITS, R.N.  
License No.: 0001-223717**

**CONSENT ORDER**

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

Pursuant to §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was held before a Special Conference Committee ("Committee") of the Board of Nursing ("Board") on April 21, 2015 in Henrico County, Virginia, to inquire into evidence that Ms. Waits may have violated certain laws and regulations governing the practice of nursing in Virginia. Ms. Waits was present and was not represented by counsel.

Upon consideration of the evidence presented, the Committee adopted the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. Dee Waits, R.N. was issued License No. 0001-223717 to practice as a professional nurse in the Commonwealth of Virginia on March 18, 2010. Said license is set to expire on November 30, 2015. Ms. Waits' primary state of residence is Virginia. Ms. Waits also held License No. RN075161, to practice professional nursing in Louisiana; said license expired on February 1, 2008.

2. By letter dated October 14, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Waits notifying her that an informal conference would be held on November 4, 2014. The Notice was sent by certified and first class mail to 29 Adratic Drive, Hampton, Virginia, 23664, the address of

record then on file with the Board of Nursing. The informal conference was continued multiple times at the request of Ms. Waits. Most recently, on March 6, 2015, the Board sent a letter to Ms. Waits informing her that an informal conference would be held on April 21, 2015. The letter was sent by certified and first class mail to 377 Honeycutt Road, Remlap, Alabama, 35133, the address of record on file with the Board of Nursing.

3. On August 29, 2010, Ms. Waits was admitted to Virginia Beach Psychiatric Center, Virginia Beach, Virginia, for alcohol dependency. Ms. Waits received a diagnosis of alcohol dependence and major depressive disorder.

4. On August 12, 2011, Ms. Waits was admitted to Poplar Springs Hospital (“Poplar Springs”), Petersburg, Virginia, under a temporary detention order. Ms. Waits expressed suicidal ideations, and problems with alcohol dependency and depression. Ms. Waits received a diagnosis of major depression.

5. On November 11, 2011 and September 8, 2013, Ms. Waits was admitted to Wilmington Treatment Center, Wilmington, North Carolina, for treatment related to alcohol dependency. Ms. Waits received a diagnosis of alcohol dependency and depression.

6. On May 2, 2014, Ms. Waits was admitted to Poplar Springs for depression and alcohol dependency. At admission, Ms. Waits presented with suicidal ideations and she had a plan to carry out her intentions. At the informal conference, Ms. Waits stated that she did not agree that she had a plan to carry out her intentions but admitted to the suicidal ideations.

7. On November 1, 2014, Ms. Waits was admitted to the detox unit of Wilmington Treatment Center. At the informal conference, Ms. Waits provided a letter which indicated that she completed a 28-day treatment program while at the facility. However, by her own admission, she relapsed after completing the 28-day treatment.

8. At the informal conference, Ms. Waits stated that her depression began in 2008 due to family circumstances and that she self-medicated with alcohol. Ms. Waits stated that she attends AA five times a week

and has an AA support group in Virginia and Alabama as well as a sponsor in Virginia and Alabama. Ms. Waits stated that she also attends spiritual counseling at her church. Ms. Waits stated that her date of sobriety was February 23, 2015, and that she is currently prescribed Wellbutrin and Trazodone for her depression.

9. Ms. Waits stated that she did not go to work intoxicated and that she would call out of work if she felt she was under the influence.

10. At the informal conference, Ms. Waits stated that she was unsure whether she wishes to continue to practice nursing at this time and that she is currently taking care of a terminally ill family member in Alabama.

11. Ms. Waits stated that she was unable to afford the Health Practitioners' Monitoring Program ("HPMP") and that she does not feel that the HPMP would have any impact on whether she relapsed with alcohol in the future.

#### CONCLUSIONS OF LAW

1. Findings of Fact Nos. 3, 4, 5 and 6 constitute a violation of §54.1-3007(6) of the Code.
2. Based on the above Findings of Fact, the Committee concludes that Ms. Waits is a candidate for the Health Practitioners' Monitoring Program ("HPMP").

#### CONSENT

Dee Waits, R.N., 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. 0001-223717 of Dee Waits, R.N., is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Waits shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of nursing. Ms. Waits shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.
4. This suspension applies to any multistate privilege to practice professional nursing.
5. This suspension shall be STAYED upon proof of Ms. Waits' entry into the HPMP and compliance with a Recovery Monitoring Contract with the Health Practitioners' Monitoring Program ("HPMP") pursuant to Chapter 25.1 of Title 54.1 of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPMP, or a similar program in the state of Alabama. At such time, the indefinite suspension shall be STAYED and the following terms and conditions shall apply:
  - a. Ms. Waits shall comply with all terms and conditions for the period specified by the HPMP, or a similar program in Alabama.

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

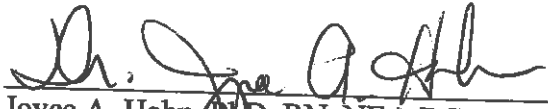
6. Upon receipt of evidence of Ms. Waits' participation in and successful completion of the terms specified by the HPMP or a similar program in Alabama, the Board, at its discretion, may waive Ms. Waits' appearance before the Board, and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

7. This Order is applicable to Ms. Waits' multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Waits 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.

8. Ms. Waits 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.

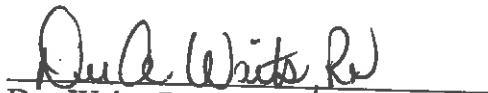
Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying upon request.

FOR THE BOARD

  
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Joyce A. Hahn, PhD, RN, NEA-BC, FNAP  
President, Virginia Board of Nursing

ENTERED: July 14, 2015

SEEN AND AGREED TO:

  
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Dee Waits, R.N.

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

Subscribed and sworn to before me, Brett King, a Notary Public, this 22<sup>nd</sup> day of June, 2015.

My commission expires 7/29/15.

Registration Number N/A.

  
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NOTARY PUBLIC

Certified True Copy  
By dgraham  
Virginia Board Of Nursing