

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       CARROLL J. ROBERTS, L.P.N.**  
**License No.: 0002-052965**

**ORDER**

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on June 15, 2015, in Henrico County, Virginia, to inquire into evidence that Carroll J. Roberts, L.P.N., may have violated certain laws governing practical nursing practice in Virginia and certain terms and conditions imposed on her, as set forth in the Order of the Board entered on June 17, 2014. The case was presented by Tammie D. Jones, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Roberts was not present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

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

**FINDINGS OF FACT**

1. Carroll J. Roberts, L.P.N., was issued License No. 0002-052965 to practice practical nursing in the Commonwealth of Virginia on June 14, 1996. Said license was suspended by Order of the Board entered on June 17, 2014, with said suspension stayed upon Ms. Roberts' compliance with certain terms and conditions. By letter dated February 5, 2015, the stay was summarily rescinded. Her primary state of residence is Virginia.
2. Based upon the representations of Tammie D. Jones and Commonwealth's Exhibit #1, the Notice of Formal Hearing and Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in her absence.

3. By Order of the Board entered June 17, 2014, Ms. Roberts' license to practice practical nursing was suspended with said suspension stayed contingent upon her compliance with the Health Practitioners' Monitoring Program ("HPMP"). The action was based upon findings that Ms. Roberts was diagnosed with bipolar disorder and was not receiving treatment.

4. Ms. Roberts entered the HPMP on June 1, 2014. A substance abuse assessment was conducted on June 23, 2014, and the evaluator recommended outpatient treatment for addiction, a 12-step recovery program, and further assessment by a healthcare practitioner skilled in diagnosing mood disorders and treating post-traumatic stress disorder.

5. Ms. Roberts obtained a mental health assessment on July 2, 2014, by a licensed professional counselor and participated in individual therapy; however, she refused to sign an authorization for release of information.

6. On October 8 and 13, 2014, and November 25, 2014, Ms. Roberts tested positive for alcohol and she admitted to drinking alcoholic beverages due to emotional problems she was addressing in therapy. The HPMP recommended that Ms. Roberts enter residential treatment. Ms. Roberts refused to enter residential treatment and resigned from the program. On January 26, 2015, Ms. Roberts was dismissed from the HPMP due to continued use of alcohol and failure to enter and complete treatment as recommended.

#### CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 6 constitutes a violation of § 54.1-3007(6) of the Code and Term No. 5 of the Order entered June 17, 2014.

#### ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. Carroll J. Roberts, L.P.N., is hereby REPRIMANDED.
2. License No. 0002-052965 issued to Carroll J. Roberts, L.P.N., to practice practical nursing in

the Commonwealth of Virginia is CONTINUED on INDEFINITE SUSPENSION for a period of not less than two years.

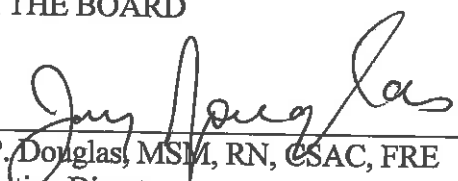
3. The license of Ms. Roberts will be recorded as SUSPENDED and no longer current. Should Ms. Roberts seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license prior to issuance of her license to resume practice.

4. At such time as Ms. Roberts shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of practical nursing.

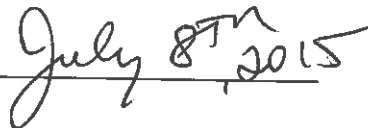
5. This Order shall be applicable to Ms. Roberts' multistate licensure privileges, if any, to practice practical nursing.

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 on request.

FOR THE BOARD

  
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Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director  
Virginia Board of Nursing

ENTERED

  
\_\_\_\_\_  
July 8<sup>th</sup>, 2015

Certified True Copy

By   
\_\_\_\_\_  
Virginia Board Of Nursing

**NOTICE OF RIGHT TO APPEAL**

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.