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VA BD OF NURSING

COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.  
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

January 25, 2012

Deborah Smith Guill  
4147 Whitmell School Road  
Dry Fork, VA 24549

**CERTIFIED MAIL**

**DUPLICATE COPY  
VIA FIRST CLASS MAIL**

RE: License No.: 0001-159136

DATE 1/25/12

Dear Ms. Guill:

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 January 25, 2012. 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 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 of the Board of Nursing, at the above address or (804) 367-4599.

Sincerely,

Dianne L. Reynolds-Cane, M.D., Director  
Department of Health Professions

Enclosures  
Case # 142638

**VIRGINIA:**

**BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS**

**IN RE:       DEBORAH SMITH GUILL, R.N.**  
**License No.: 0001-159136**

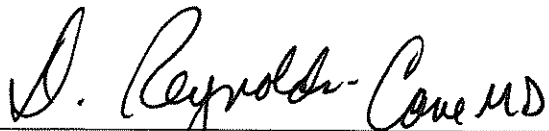
**ORDER**

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Dianne L. Reynolds-Cane, M.D., Director of the Virginia Department of Health Professions, received and acted upon evidence that Deborah Smith Guill, R.N., surrendered her license to practice nursing in the State of California by a Decision and Order entered November 15, 2011. Said surrender to have the same effect as revocation. A certified copy of the Decision and 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 license of Deborah Smith Guill, R.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Deborah Smith Guill, R.N., will be recorded as suspended and no longer current. Should Ms. Guill seek reinstatement of her license pursuant to Section 54.1-2409 of the Code, she shall be responsible for any fees that may be required for the reinstatement and renewal of her license prior to issuance of her 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.



\_\_\_\_\_  
Dianne L. Reynolds-Cane, M.D., Director  
Department of Health Professions

ENTERED: \_\_\_\_\_

1-25-12



# COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.  
Director

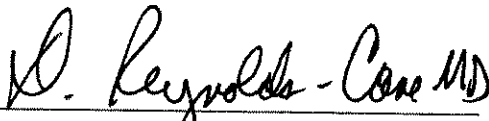
*Department of Health Professions*

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, Dianne L. Reynolds-Cane, M.D., Director of the Department of Health Professions, hereby certify that the attached Decision and Order entered November 15, 2011, regarding Deborah Smith Guill, R.N., is a true copy of the records received from the State of California Board of Registered Nursing.

  
Dianne L. Reynolds-Cane, M.D.

Date: 1-25-12

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

**DEBORAH SMITH GULL**  
4147 Whitnell School Road  
Dry Fork, VA 24549

**Registered Nurse License No. 664265**

Respondent

Case No. 2012-19

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

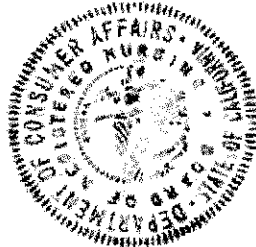
This Decision shall become effective on **November 15, 2011.**

**IT IS SO ORDERED November 15, 2011.**

I hereby certify the  
foregoing to be a true copy  
of the documents on file in our office.

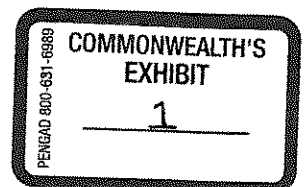
BOARD OF REGISTERED NURSING

*Louise R. Bailey, M.Ed., RN*  
Louise R. Bailey, M. ED., RN  
Executive Officer



*Jennifer K. Weaver*

\_\_\_\_\_  
President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California



1 KAMALA D. HARRIS  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
3 SUSANA A. GONZALES  
Deputy Attorney General  
4 State Bar No. 253027  
1515 Clay Street, 20th Floor  
5 P.O. Box 70550  
Oakland, CA 94612-0550  
6 Telephone: (510) 622-2221  
Facsimile: (510) 622-2270  
7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2012-19

13 **DEBORAH SMITH GULL**  
4147 Whitmell School Road  
14 Dry Fork, VA 24549  
Registered Nurse License No. 664265

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

15 Respondent.

16 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
17 proceeding that the following matters are true:

18 PARTIES

19 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of  
20 Registered Nursing. She brought this action solely in her official capacity and is represented in  
21 this matter by Kamala D. Harris, Attorney General of the State of California, by Susana A.  
22 Gonzales, Deputy Attorney General.

23 2. Deborah Smith Guill (Respondent) is representing herself in this proceeding and has  
24 chosen not to exercise her right to be represented by counsel.

25 3. On or about August 24, 2005, the Board of Registered Nursing issued Registered  
26 Nurse License No. 664265 to Deborah Smith Guill (Respondent). The Registered Nurse License  
27 expired on January 31, 2009, and has not been renewed.  
28



1 Registered Nursing may communicate directly with the Board regarding this stipulation and  
2 surrender, without notice to or participation by Respondent. By signing the stipulation,  
3 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind  
4 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt  
5 this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be  
6 of no force or effect, except for this paragraph, it shall be inadmissible in any legal action  
7 between the parties, and the Board shall not be disqualified from further action by having  
8 considered this matter.

9 11. The parties understand and agree that facsimile copies of this Stipulated Surrender of  
10 License and Order, including facsimile signatures thereto, shall have the same force and effect as  
11 the originals.

12 12. This Stipulated Surrender of License and Order is intended by the parties to be an  
13 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
14 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
15 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order  
16 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing  
17 executed by an authorized representative of each of the parties.

18 13. In consideration of the foregoing admissions and stipulations, the parties agree that  
19 the Board may, without further notice or formal proceeding, issue and enter the following Order:

20 **ORDER**

21 IT IS HEREBY ORDERED that Registered Nurse License No. 664265, issued to  
22 Respondent Deborah Smith Guill, is surrendered and accepted by the Board of Registered  
23 Nursing.

24 14. The surrender of Respondent's Registered Nurse License and the acceptance of the  
25 surrendered license by the Board shall constitute the imposition of discipline against Respondent.  
26 This stipulation constitutes a record of the discipline and shall become a part of Respondent's  
27 license history with the Board.

1           15. Respondent shall lose all rights and privileges as a registered nurse in California as of  
2 the effective date of the Board's Decision and Order.

3           16. Respondent shall cause to be delivered to the Board her pocket license and, if one was  
4 issued, her wall certificate on or before the effective date of the Decision and Order.

5           17. If Respondent ever files an application for licensure or a petition for reinstatement in  
6 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must  
7 comply with all the laws, regulations and procedures for reinstatement of a revoked license in  
8 effect at the time the petition is filed, and all of the charges and allegations contained in  
9 Accusation No. 2012-19 shall be deemed to be true, correct, and admitted by Respondent when  
10 the Board determines whether to grant or deny the petition.

11           18. If and when Respondent's license is reinstated, she shall pay to the Board costs  
12 associated with its investigation and enforcement pursuant to Business and Professions Code  
13 section 125.3 in the amount of \$745.00. Respondent shall be permitted to pay these costs in a  
14 payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the  
15 Board from reducing the amount of cost recovery upon reinstatement of the license.

16           19. If Respondent should ever apply or reapply for a new license or certification, or  
17 petition for reinstatement of a license, by any other health care licensing agency in the State of  
18 California, all of the charges and allegations contained in Accusation No. 2012-19 shall be  
19 deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of  
20 Issues or any other proceeding seeking to deny or restrict licensure.

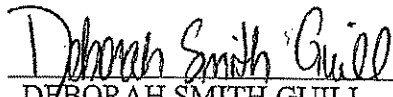
21           20. Respondent shall not apply for licensure or petition for reinstatement for two (2)  
22 years from the effective date of the Board of Registered Nursing's Decision and Order.



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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

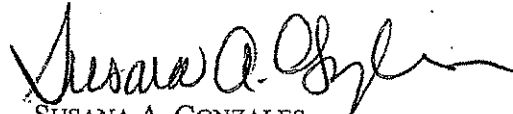
DATED: 8/22/2011   
DEBORAH SMITH GULL  
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: September 9, 2011

Respectfully submitted,  
KAMALA D. HARRIS  
Attorney General of California  
DIANN SOKOLOFF  
Supervising Deputy Attorney General

  
SUSANA A. GONZALES  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 2012-19**

2012-19-19

1 KAMALA D. HARRIS  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
3 SUSANA A. GONZALES  
Deputy Attorney General  
4 State Bar No. 253027  
1515 Clay Street, 20th Floor  
5 P.O. Box 70550  
Oakland, CA 94612-0550  
6 Telephone: (510) 622-2221  
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7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. *2012-19*

12 **DEBORAH SMITH GULL**  
13 **4147 Whitmell School Road.**  
**Dry Fork, VA 24549**  
14 **Registered Nurse License No. 664265**

**ACCUSATION**

15 Respondent.

16  
17 Complainant alleges:

18 PARTIES

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
21 Consumer Affairs.

22 2. On or about August 24, 2005, the Board of Registered Nursing issued Registered  
23 Nurse License Number 664265 to Deborah Smith Guill (Respondent). The Registered Nurse  
24 License expired on January 31, 2009, and has not been renewed.

1 JURISDICTION

2 3. This Accusation is brought before the Board of Registered Nursing (Board),  
3 Department of Consumer Affairs, under the authority of the following laws. All section  
4 references are to the Business and Professions Code unless otherwise indicated.

5 4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part,  
6 that the Board may discipline any licensee, including a licensee holding a temporary or an  
7 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the  
8 Nursing Practice Act.

9 5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license  
10 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the  
11 licensee or to render a decision imposing discipline on the license. Under Code section 2811,  
12 subdivision (b), the Board may renew an expired license at any time within eight years after the  
13 expiration.

14 6. Section 118, subdivision (b), of the Code provides, in pertinent part, that the  
15 expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary  
16 action during the period within which the license may be renewed, restored, reissued or  
17 reinstated.

18 STATUTORY PROVISIONS

19 7. Section 2761 of the Code states:

20 "The board may take disciplinary action against a certified or licensed nurse or deny an  
21 application for a certificate or license for any of the following:

22 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

23 ...

24 "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action  
25 against a health care professional license or certificate by another state or territory of the United  
26 States, by any other government agency, or by another California health care professional  
27 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that  
28 action."

1 DRUGS

2 8. "Xanax," also known by its generic name Alprazolam, is a Schedule IV controlled  
3 substance as designated by Health and Safety Code section 11057, subdivision (d)(1), and a  
4 dangerous drug under Code section 4022. It is used to treat anxiety.

5 COST RECOVERY

6 9. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
7 administrative law judge to direct a licentiate found to have committed a violation or violations of  
8 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
9 enforcement of the case.

10 CAUSE FOR DISCIPLINE

11 (Unprofessional Conduct – Out of State Discipline)  
12 (Bus. & Prof. Code § 2761, subd. (a)(4))

13 10. Respondent has subjected her registered nurse license to disciplinary action under  
14 Code section 2761, subdivision (a)(4), in that on or about December 10, 2009, in a disciplinary  
15 action before the Virginia Board of Nursing (Virginia Board), the Virginia Board entered an  
16 Order requiring Respondent to: (1) provide the Virginia Board with a report from her addiction  
17 specialist; (2) continue complying with the recommendations of her psychiatrist; and (3) maintain  
18 a course of conduct in her capacity as a professional nurse that is commensurate with the  
19 requirements of the Virginia Code and the Virginia Board of Nursing's Regulations. Any  
20 violations of the terms and conditions in the Virginia Board's Order would constitute cause for  
21 revoking Respondent's registered nurse license.

22 11. The underlying conduct supporting the Virginia Board's disciplinary action is that on  
23 or about February 19, 2009, Respondent entered a Consent Order with the North Carolina Board  
24 surrendering her privilege to practice professional nursing in North Carolina for one year.  
25 Respondent's surrender was based upon her conduct on or about December 30, 2008, when she  
26 reported to work at Women's Hospital of Greensboro, North Carolina, with slurred speech and  
27 stumbling. Respondent later tested positive for marijuana. At the informal conference before the  
28 Virginia Board, Respondent stated that she had worked on December 29, 2008, and she did not

1 sleep on December 30, 2008. Respondent stated that she took Xanax, for which she had a valid  
2 prescription, and then went to work. Respondent was terminated from her employment as a result  
3 of her conduct, above. At the informal conference, Respondent denied smoking marijuana.  
4 Respondent admitted to the Virginia that she put herself in a bad situation and that she had  
5 exercised poor judgment. Respondent maintained that she had learned from her mistake.  
6 According to Respondent, she also saw an addiction specialist on or about October 21, 2009, as  
7 required for reinstatement of her privilege to practice professional nursing in North Carolina.

8 PRAYER

9 WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this  
10 Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

- 11 1. Revoking or suspending Registered Nurse License Number 664265, issued to  
12 Deborah Smith Guill;
- 13 2. Ordering Deborah Smith Guill to pay the Board of Registered Nursing the reasonable  
14 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
15 Code section 125.3;
- 16 3. Taking such other and further action as deemed necessary and proper.

17  
18  
19 DATED: July 12, 2011

Louise R. Bailey  
20 LOUISE R. BAILEY, M.ED., RN  
21 Executive Officer  
22 Board of Registered Nursing  
23 Department of Consumer Affairs  
24 State of California  
25 Complainant

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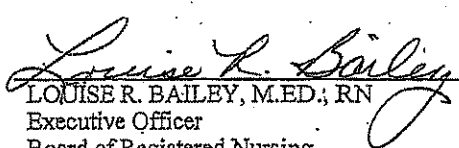
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- 13 2. Ordering Deborah Smith Guill to pay the Board of Registered Nursing the reasonable  
14 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
15 Code section 125.3;
- 16 3. Taking such other and further action as deemed necessary and proper.

17  
18  
19 DATED: July 12, 2011

  
LOUISE R. BAILEY, M.Ed., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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