

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:           JANET E. WILEY, L.P.N.**  
**License Number:   0002-079274**  
**Case Number:       181209**

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**ORDER**

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**JURISDICTION AND PROCEDURAL HISTORY**

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on September 20, 2017, in Henrico County, Virginia, to inquire into evidence that Janet E. Wiley, L.P.N., may have violated certain laws governing the practice of practical nursing in the Commonwealth of Virginia.

Janet E Wiley, L.P.N., did not appear at this proceeding and was not represented by legal counsel.

**NOTICE**

By letter dated August 11, 2017, the Board sent a Notice of Formal Hearing (“Notice”) to Ms. Wiley notifying her that a formal administrative hearing would be held on September 20, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. The Notice sent by certified mail was returned to the Board office marked “unclaimed.” The Notice sent by first class mail was not returned to the Board office. Accordingly, the panel Chair concluded that adequate notice was provided to Ms. Wiley and the formal hearing proceeded in her absence.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

### FINDINGS OF FACT

1. Janet Wiley, L.P.N., was issued License No. 0002-079274 to practice practical nursing on October 17, 2008. By Consent Order of the Board entered on May 19, 2015, Ms. Wiley's license was indefinitely suspended with said suspension stayed contingent upon her entry into and compliance with the Health Practitioners' Monitoring Program ("HPMP"), based on findings of substance abuse. Her primary state of residence is Virginia.
2. On June 22, 2015, Ms. Wiley entered Recovery Monitoring Contract #1 with the HPMP.
3. On March 28, 2017, Ms. Wiley tested positive for benzoylecgonine, a cocaine metabolite. On May 19, 2017, she was dismissed from the program.
4. On June 9, 2017, the stay of suspension was summarily rescinded.
5. Ms. Wiley denied the use of cocaine.

### CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of Virginia Code § 54.1-3007(6) and Term No. 5 of the Order of the Board entered May 19, 2015.

### ORDER

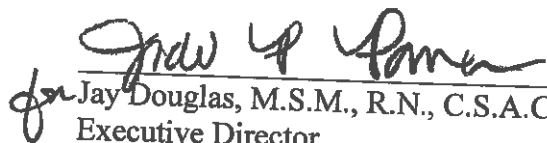
Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. Janet E Wiley, L.P.N., is REPRIMANDED.
2. The license issued to Janet E Wiley, L.P.N., to practice practical nursing in the Commonwealth of Virginia is CONTINUED on INDEFINITE SUSPENSION.
3. The license of Ms. Wiley will be recorded as SUSPENDED.
4. This suspension applies to any multistate privilege to practice practical nursing.

5. Should Ms. Wiley, seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Wiley to demonstrate that she is safe and competent to return to the practice of practical nursing. Ms. Wiley shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, 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.

FOR THE BOARD

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

ENTERED AND MAILED ON:

October 4, 2017

**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, M.S.M., R.N., C.S.A.C., F.R.E., 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.

Certified True Copy

By dsraham  
Virginia Board Of Nursing