

**VIRGINIA:**

**BEFORE THE COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE**

**IN RE:       DAWN M. RICE, L.N.P. REINSTATEMENT APPLICANT**  
**License No.: 0024-165057**

**ORDER**

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee of the Virginia Committee of the Joint Boards of Nursing and Medicine (“Committee of the Joint Boards”) met on April 8, 2015, in Henrico County, Virginia, to receive and act upon the application of Dawn M. Rice for reinstatement of her license to practice as a nurse practitioner in Virginia and to inquire into evidence that Ms. Rice may have violated certain laws and regulations governing nurse practitioner practice. Ms. Rice was present and was not represented by legal counsel.

Upon consideration of the evidence, the Committee of the Joint Boards adopts the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. Dawn M. Rice was issued License No. 0024-165057 to practice as a nurse practitioner in the Commonwealth of Virginia with a specialty in anesthesia on February 20, 2002. Said license was suspended pursuant to a Consent Order entered by the Committee of the Joint Boards on December 2, 2009.
2. Ms. Rice submitted an application for reinstatement of her license to practice as a nurse practitioner which was received by the Board on June 16, 2014.
3. By letter dated March 12, 2015, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Rice notifying her that an informal conference would be held on April 8, 2015. The Notice

was sent by certified and first class mail to 5500 Creek Crossing Drive, Midlothian, Virginia 23112, the address of record on file with the Board of Nursing.

4. On July 22, 2009, Ms. Rice's license to practice professional nursing in the Commonwealth of Virginia was indefinitely suspended due to diversion and substance abuse.

5. On March 18, 2010, in the General District Court of Chesterfield County, Virginia, Ms. Rice was convicted of petty larceny. She was sentenced to 90 days in jail, suspended, and ordered to pay restitution of \$26.00 and court costs and fines totaling \$342.00, which were paid in full on March 18, 2010.

6. Ms. Rice failed to reveal the above-referenced conviction on the application for reinstatement dated June 10, 2014.

7. On the employment application with ACell Regenerative Medical Equipment dated June 18, 2013, Ms. Rice answered "no" to the question, "Have you ever plead guilty or no contest to, or been convicted of any criminal offense other than the applicable exceptions listed above," when, in fact, she had been convicted of petty larceny as indicated above.

8. Ms. Rice did not present any supporting documentation that she is maintaining her sobriety.

9. Ms. Rice did not provide evidence of professional certification as a registered nurse anesthetist.

#### CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code and 18 VAC 90-30-220(1), (4) and (5) of the Emergency Regulations Governing the Licensure of Nurse Practitioners.

2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(4) of the Code and 18 VAC 90-30-220(4) of the Regulations Governing the Licensure of Nurse Practitioners.

3. Finding of Fact No. 6 constitutes a violation of § 54.1-3007(1) of the Code, 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing and 18 VAC 90-30-220(4) of the Regulations Governing the Licensure of Nurse Practitioners.

4. Finding of Fact No. 7 constitutes a violation of § 54.1-3007(2) of the Code, 18 VAC 90-20-300(A)(2)(e) of the Regulations Governing the Practice of Nursing and 18 VAC 90-30-220(4) of the Regulations Governing the Licensure of Nurse Practitioners.

5. Pursuant to Finding of Fact No. 9, the Committee of the Joint Boards concludes that Ms. Rice does not meet the requirements of 18 VAC 90-30-110(B)(3) of the Regulations Governing the Licensure of Nurse Practitioners.

### **ORDER**

On the basis of the foregoing, the Committee of the Joint Boards hereby ORDERS that the application of Dawn M. Rice for licensure to practice as a nurse practitioner in Virginia is DENIED.

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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Rice may, not later than 5:00 p.m., on June 17, 2015, notify Jay P. Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE OF THE JOINT BOARDS:

*Gloria Mitchell-Swely*  
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pr Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director, Virginia Board of Nursing

ENTERED: *May 15, 2015*  
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This Order shall become final on June 17, 2015 unless a request for a formal administrative hearing is received as described above.

Certified True Copy  
By *draham*  
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Virginia Board Of Nursing