

DEC 30 2014
DHP

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: **DIANA D. DILLARD, R.N.**
License No.: 0001-082019

CONSENT ORDER

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

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Diana D. Dillard, R.N., was issued License No. 0001-082019 to practice professional nursing by the Virginia Board of Nursing on September 1, 1981. Said license is valid in Virginia only and is set to expire on September 30, 2015. Her primary state of residence is Virginia.
2. By Order of the Board entered February 14, 2011, Ms. Dillard's license to practice professional nursing was reinstated upon the verification of her entry into the Health Practitioners' Monitoring Program ("HPMP") and compliance with the terms and conditions of a Recovery Monitoring Contract.
3. Ms. Dillard entered a Participation Contract with the HPMP on November 15, 2010, and Recovery Monitoring Contract No. 1 on January 24, 2011.
4. Ms. Dillard was dismissed from the HPMP on January 11, 2013, for continued use of alcohol and failing to enter and complete treatment as recommended.
5. On February 8, 2013, in the General District Court of Hanover County, Virginia, Ms. Dillard was convicted of driving while under the influence, first offense. She was ordered to pay fines and court

costs totaling \$694.00, which were paid on February 22, 2013. She was also ordered to attend the Alcohol Safety Action Program (ASAP).

6. On August 13, 2014, during an interview with an investigator from the Department of Health Professions, Ms. Dillard reported that she last practiced nursing in 2010. Ms. Dillard voluntarily surrendered her license by U.S. mail.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of Term No. 1 of the Order entered February 14, 2011.
2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(4) of the Code of Virginia (1950), as amended (“Code”).

CONSENT

Diana D. Dillard, 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 an informal fact finding conference 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 an informal conference;
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. The Board ACCEPTS the VOLUNTARY SURRENDER for INDEFINITE SUSPENSION of the license of Diana D. Dillard, R.N., to practice professional nursing in the Commonwealth of Virginia.


2. The license will be recorded as suspended and no longer current.

3. At such time as Ms. Dillard 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 professional nursing. Ms. Dillard 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

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



Jane Ingalls, R.N., Ph.D.
President, Virginia Board of Nursing

ENTERED: Jan. 27, 2015

SEEN AND AGREED TO:

Diana D. Dillard, R.N.
Diana D. Dillard, R.N.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Herrick, TO WIT:

Subscribed and sworn to before me, Kristoffer Peterson, a Notary Public, this 27th day of December, 2014.

My commission expires 02/28/2018.

Registration Number 7609086.

Kristoffer A. Peterson
NOTARY PUBLIC



Certified True Copy
By *Y. Robinson-Howes*
Virginia Board of Nursing