

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: MICHAEL ST. JOHN, R.N. APPLICANT
License No.: 0001-255320

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 ("Committee") of the Virginia Board of Nursing ("Board") met on October 27, 2014 in Henrico County, Virginia, to receive and act upon the application of Michael St. John for licensure by endorsement to practice professional nursing and to inquire into allegations that grounds may exist to deny said application. Mr. St. John was present and was not represented by legal counsel.

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

FINDINGS OF FACT

1. On May 5, 2014, Michael St. John submitted an application for licensure by endorsement to practice professional nursing in the Commonwealth of Virginia. Mr. St. John was initially licensed to practice professional nursing in the State of Colorado in 2007. His primary state of residence is Virginia.
2. By letter dated October 1, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Mr. St. John notifying him that an informal conference would be held on October 27, 2014. The Notice was sent by certified and first class mail to 766 Ridge Circle, Chesapeake, Virginia 23320, the address of record on file with the Board of Nursing.
3. On June 18, 2013, Mr. St. John entered into a Participation Contract with the Virginia Health Practitioners' Monitoring Program ("HPMP") in which he acknowledged that he may be unsafe to practice professional nursing due to chemical dependency. He entered into his first Recovery Monitoring Contract with the HPMP on July 1, 2013.

4. On April 1, 2014, Mr. St. John entered into a stipulation and final agency order with the Colorado State Board of Nursing in which he acknowledged his substance use disorder and which ordered him to participate in that State's Peer Assistance Services.

5. Mr. St. John completed residential treatment at the Farley Center, Williamsburg, Virginia, in June 2013. He attends weekly outpatient therapy, three 12-Step meetings per week, and two Caduceus meetings per week. All urine drug screens have been negative since August 2013. The HPMP considers Mr. St. John to be in compliance with his current Recovery Monitoring Contract. The HPMP provides reports to the Colorado Peer Assistance Program regarding Mr. St. John's compliance.

6. Mr. St. John is currently employed as a behavioral technician at the Pavilion at Williamsburg Place. He has an HPMP worksite monitor, who provided a letter of support to the Board.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(6) of the Code.
2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) and (7) of the Code.
3. Based on the above Findings of Fact, the Committee concludes that Mr. St. John is properly enrolled in the Health Practitioners' Monitoring Program ("HPMP").
4. The Committee concludes that Mr. St. John otherwise meets the requirements of § 54.1-3018 of the Code.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. The application of Michael St. John for licensure to practice professional nursing in Virginia is APPROVED contingent on Mr. St. John's continued compliance with the HPMP for the period specified by the HPMP. Mr. St. John shall be issued a licensed marked "Valid in Virginia Only."

2. This order shall be applicable to Mr. St. John's multistate licensure privilege, if any, to practice professional nursing. For the duration of this Order, Mr. St. John shall not work outside the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where he wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

3. Mr. St. John shall maintain a course of conduct in his capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

4. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Mr. St. John, and an administrative proceeding shall be held to decide whether his license should be revoked. Mr. St. John shall be noticed to appear before the Board at such time as the Board is notified that:

a. He is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;


b. There is a pending investigation or unresolved allegation against him involving a violation of law or regulation or any term or condition of this Order; or

c. He has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of evidence of Mr. St. John's participation in and compliance with the HPMP, the Board, at its discretion, may waive his appearance before the Board and conduct an administrative review of this matter.

Pursuant to Section 54.1-2400(10) of the Code, Mr. St. John may, not later than 5:00 p.m., on December 15, 2014, notify 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, in writing that he 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:

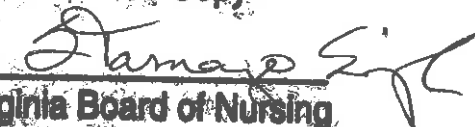


Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director, Virginia Board of Nursing

ENTERED: November 12th, 2014

This Order shall become final on December 15, 2014, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 
Virginia Board of Nursing