

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: **LILLIE NICOLE DUBOIS, R.N.**
License Number: 0001-190376
Case Number: 178799

RATIFICATION AND ORDER

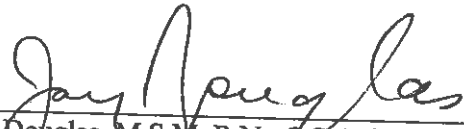
On November 15, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Lillie Nicole DuBois, R.N., was not present nor was she represented by legal counsel.

In consideration whereof, the Board of Nursing ACCEPTS the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and ADOPTS the Recommended Order in its entirety.

Pursuant to Virginia Code § 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.

Since Ms. DuBois failed to appear at the informal conference, this Order shall be considered final. Ms. DuBois has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. DuBois has thirty days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within 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, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three days are added to that period.

FOR THE BOARD



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

ENTERED AND MAILED ON:

November 30th, 2017

Certified True Copy

By 
Virginia Board of Nursing

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: LILLIE NICOLE DUBOIS, R.N.
License Number: 0001-190376
Case Number: 178799

REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Judith E. Piersall, R.N., B.S.N., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on August 24, 2017, in Henrico County, Virginia, to inquire into evidence that Lillie Nicole DuBois, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Ms. DuBois did not appear at this proceeding and was not represented by legal counsel.

Upon consideration of the evidence, the Agency Subordinate makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

Notice

By letter dated August 3, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. DuBois notifying her that an informal conference would be held on August 24, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. The certified mail receipt was signed and returned to the Board office. The Notice sent by first class mail was not returned to the Board office. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Ms. DuBois and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Lillie Nicole DuBois, R.N., was issued License Number 0001-190376 to practice professional nursing on June 10, 2004, which expired on March 31, 2017. At all times relevant to the findings herein, said license was in full force and effect. Her primary state of residence is Virginia.
2. By Order of the Board entered September 2, 2014, ("Board's Order"), Ms. Dubois was placed on probation for two years of actual nursing practice, subject to terms and conditions, based on findings that she was unsafe to practice due to chemical dependency and chronic back pain.
3. By Order of the Board entered September 29, 2016, Ms. Dubois was reprimanded and continued on probation for two years of actual nursing practice, subject to the same terms and conditions as the Order entered September 2, 2014, due to findings that she failed to comply with said Order.
4. Ms. Dubois violated Virginia Code § 54.1-3007(6) and Term Nos. 2 and 11 of the Board's Order, which required her to have her therapist submit quarterly progress reports, in that she failed to have her therapist submit reports due September 30, 2016, December 31, 2016, and March 31, 2017.
5. Ms. Dubois violated Term No. 3 of the Board's Order, which required her to have written reports submitted from the prescribing practitioners of all Schedule II-V controlled medications that she was prescribed, in that she failed to do so. Specifically, a prescription monitoring report for the period September 29, 2016 to May 8, 2017, indicates that she obtained seven prescriptions for tramadol (C-IV); however, no reports were submitted from the prescribing practitioner.
6. Ms. Dubois violated Virginia Code § 54.1-3007(6) and Term Nos. 4 and 11 of the Board's Order, which required her to undergo one unannounced random drug screen per quarter and submit drug screen reports, in that she failed to submit drug screen reports due September 30, 2016, December 31, 2016, and March 31, 2017.

7. Ms. Dubois violated Term No. 5 of the Board's Order, which required her to attend Alcoholics Anonymous and/or Narcotics Anonymous and/or Caduceus recovery support meetings two times per week and have written evidence of attendance submitted by a sponsor or contact person within ten days of each meeting, in that she failed to have reports submitted from September 2016 to April 2017.

8. Ms. Dubois violated Term No. 7 of the Board's Order, which required her to provide the Board with a certified copy of her final court order after completing her court-ordered probation, in that she failed to do so.

9. Ms. Dubois violated Term No. 14 of the Board's Order, which required her to provide all of her treating practitioners with a complete copy of said Order, in that she failed to do so, as evidenced by a report from one of her prescribing practitioners.

10. Ms. Dubois violated Term Nos. 15 and 11 of the Board's Order, which required her to submit quarterly self-reports, in that she failed to submit self-reports due September 30, 2016, December 31, 2016, and March 31, 2017.

Recommended Order

Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Board issue an Order as follows:

1. Lillie Nicole DuBois, R.N., is REPRIMANDED.
2. The right of Lillie Nicole DuBois, R.N., to renew her license to practice professional nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED .
3. The license of Lillie Nicole DuBois, R.N., will be recorded as SUSPENDED.
4. This suspension applies to any multistate privilege to practice professional nursing.

5. Should Lillie Nicole DuBois, R.N., seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. DuBois to demonstrate that she is safe and competent to return to the practice of professional nursing. Ms. DuBois 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.

Reviewed and approved on September 5, 2017
By Judith E. Piersall, R.N., B.S.N.
Agency Subordinate

Certified True Copy
By 
Virginia Board of Nursing