

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: DARLA STEELE, L.P.N.
License No.: 0002-063597**

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 February 13, 2012, in Henrico County, Virginia, to inquire into evidence that Darla Steele, L.P.N., may have violated certain laws and regulations governing practical nursing practice in Virginia. Ms. Steele was not present and was not represented by counsel.

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

FINDINGS OF FACT

1. Darla Steele, L.P.N., was issued License No. 0002-063597 to practice practical nursing in the Commonwealth of Virginia on May 1, 2002. Said license expires on December 31, 2012. Ms. Steele’s primary state of residence is Virginia.
2. By letter dated January 17, 2012, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Steele notifying her that an informal conference would be held on February 13, 2012. The Notice was sent by certified and first class mail to 1401 Sir Kay Drive, Chesapeake, Virginia 23323, the address of record on file with the Board of Nursing. According to the United States Postal Service, the Notice sent by certified mail was unclaimed as of February 9, 2012. As of February 13, 2012, the Notice sent by first class mail had not been returned to the Board. By facsimile received by the Board on February 10, 2012, Ms. Steele

stated that she would not be attending the informal conference. The Committee Chair concluded that adequate notice was provided to Ms. Steele and the informal conference proceeded in her absence.

3. On June 20, 2011, by her own admission, Ms. Steele changed the date of a prescription written for her for Percocet (Schedule II) from June 24, 2011, to June 20, 2011.

4. On July 15, 2011, Ms. Steele's employment with Sentara Nursing Center, Chesapeake, Virginia, was terminated for failing to maintain a certain level of professionalism and personal integrity, following notification by Sentara's Corporate Human Resources Department that Ms. Steele had altered a prescription.

5. Between August 2009, and July 2011, Ms. Steele received prescriptions for oxycodone and acetaminophen tablets (C – II) from physicians other than her pain management physician and contrary to her pain management contract.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing.

2. Based on Findings of Fact Nos. 3 and 5, there is probable cause to believe that Ms. Steele may be unable to safely practice nursing due to substance abuse.

ORDER

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

1. Pursuant to § 54.1-2400(15) of the Code, Ms. Steele shall have an evaluation by a chemical dependency specialist satisfactory to the Board and shall have a written report of the evaluation, including a diagnosis, recommended course of therapy, prognosis, and any recommendations sent to the Board within 60 days after the date that this Order is entered. Upon receipt of the required information, the Board may request that Ms. Steele appear before a Special Conference Committee in order to consider the specialist's

recommendations and to make a final disposition of the matter. **This provision of this Order is not subject to appeal.**


2. Ms. Steele shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

3. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. Steele and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

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. Steele may, not later than 5:00 p.m., on April 30, 2012, notify Jay P. Douglas, 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:


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

ENTERED: March 27, 2012

This Order shall become final on April 30, 2012 unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 
Virginia Board of Nursing