

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: LAURIE ESTNESS, L.P.N.
License No.: 0002-033071

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on May 28, 2014, in Henrico County, Virginia. Laurie Estness, L.P.N. was present and was not represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On July 16, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Estness was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Laurie Estness, L.P.N., was issued License No. 0002-033071 to practice practical nursing in Virginia on June 3, 1983. The license is scheduled to expire on June 30, 2015. Ms. Estness' primary state of residence is Virginia.

2. By letter dated April 14, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Estness notifying her that an informal conference would be held on May 28, 2014. The Notice was sent by certified and first class mail to 792 Darden Drive, Newport News, Virginia 23602, the address of record on file with the Board of Nursing.

3. From November 15, 2011, until November 18, 2011, Ms. Estness received treatment at

the Virginia Beach Psychiatric Center, Virginia Beach, Virginia. She was admitted under a temporary detention order because of depression with suicidal ideation. Ms. Estness was subsequently diagnosed with alcohol dependence, continuous, severe, and major depression.

4. From April 29, 2013, until May 29, 2013, Ms. Estness received inpatient alcohol treatment at the Farley Center at Williamsburg Place (“Farley Center”), Williamsburg, Virginia. While there she consumed alcohol while out on a weekend pass.

5. On or about May 29, 2013, Ms. Estness signed a Participation Contract with the Health Practitioners Monitoring Program (“HPMP”). On July 29, 2013, she was urgently dismissed from the HPMP for non-compliance with her contract. She failed to call the test line after her account was activated, admitted drinking wine the evening before her orientation with the HPMP, and failed to enter residential treatment as recommended.

6. On August 23, 2013, Ms. Estness was re-admitted to the Farley Center.

7. Ms. Estness stated that she received inpatient treatment at the Farley Center from August 23, 2013, until November 7, 2013. Following her inpatient treatment, she entered and completed an intensive outpatient program with the Farley Center in March 2014. She is currently attending an aftercare program.

8. Ms. Estness stated that her date of sobriety is August 24, 2013.

9. Ms. Estness stated that she attends Alcoholics Anonymous meetings, she has a sponsor with 17 years of sobriety, and has completed all of the 12 Step Program. She stated that she also attends Caduceus meetings twice a month, and sees an addictions therapist weekly.

10. Ms. Estness stated that she last worked as a nurse in April 2013. Her previous employer is aware of her alcohol issues and, according to Ms. Estness, would like for her to return to work once she is stable.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 3 through 6 constitute a violation of § 54.1-3007(6) of the Code.
2. Ms. Estness is a candidate for participation in the Virginia Health Practitioners' Monitoring Program ("HPMP").

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. License No. 0002-033071 of Laurie Estness to practice practical nursing is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Estness 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 practical nursing. Ms. Estness 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. The license will be recorded as suspended and no longer current.
5. This suspension shall be STAYED upon proof of entry into the HPMP compliance with the HPMP. At such time, the indefinite suspension shall be STAYED and the following terms and conditions shall apply:
 - a. Ms. Estness shall comply with all terms and conditions for the period specified by the HPMP.
 - b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Ms. Estness, and an administrative proceeding shall be held to determine whether her license shall be revoked. The stay of

indefinite suspension may be summarily rescinded at such time the Board is notified that:

- i. Ms. Estness is not in compliance with the terms and conditions specified by the HPMP;
- ii. Ms. Estness' participation in the HPMP has been terminated;
- iii. There is a pending investigation or unresolved allegation against Ms. Estness involving a violation of law, regulation, or any term or condition of this order.

6. Upon receipt of evidence of Ms. Estness' participation and successful completion of the HPMP, the Board, at its discretion, may waive Ms. Estness' appearance before a Committee and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

7. This Order is applicable to Ms. Estness' multistate licensure privileges, if any, to practice practical nursing. For the duration of this Order, Ms. Estness shall not work outside of 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 Ms. Estness wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

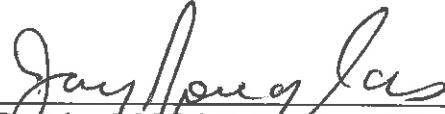
8. Ms. Estness shall maintain a course of conduct in her capacity as a licensed practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

Pursuant to § 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 a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Estness may, not later than 5:00 p.m., on

September 8, 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/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 BOARD:



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

ENTERED: August 6th, 2014

This Order shall become final on September 8, 2014, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By M. Robinson-Hawes
Virginia Board of Nursing
9-8-14