

VIRGINIA:

BEFORE THE BOARD OF NURSING

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 29, 2014, in Henrico County, Virginia. William Henley Parker, III, C.N.A., was not present nor was he represented by legal counsel. Nancy K. Durrett, R.N., M.S., 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. Mr. Parker was not present nor was he 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. William Henley Parker, III, C.N.A., was issued Certificate No. 1401-143537 to practice as a nurse aide in Virginia on March 30, 2011. The certificate expired on March 31, 2014.
2. By letter dated May 7, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Mr. Parker notifying him that an informal conference would be held on May 29, 2014. The Notice was sent by certified and first class mail to 1823 Acquinton Church Road, King William, Virginia 23086, the address of record on file with the Board of Nursing. The Notice was also sent to 4518 Belle Glade Drive, Henrico, Virginia 23230, a secondary address. According to the USPS website, the certified mailing sent to Mr. Parker's address of record was delivered on May 8, 2014. The certified mail receipt for the Notice sent to the secondary address was not returned to the Board Office. The Notices sent by

regular mail were not returned to the Board. The Agency Subordinate concluded that adequate notice was provided to Mr. Parker and the informal conference proceeded in his absence.

3. On November 21, 2013, during the course of his employment with Henrico Doctors' Hospital, Richmond, Virginia:

a. Mr. Parker reported for his assigned 3:00 p.m. to 11:00 p.m. shift at 6:30 p.m., at which point he was noted to have slurred speech. He was also drooling, talking slowly, and barely able to stand.

b. Mr. Parker submitted to a for-cause urine drug screen which was positive for opiates, codeine, and morphine.

4. As a result of this incident, Mr. Parker's employment was terminated on December 12, 2013.

5. Mr. Parker self-reported the November 21, 2013, incident which occurred during the course of his employment with Henrico Doctors' Hospital to the Board. He signed a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") on December 30, 2013, but was dismissed on May 16, 2014, after he did not sign a Recovery Monitoring Contract, and failed to enter and complete treatment as recommended.

6. On his applications for employment with Bon Secours Health System dated May 11, 2010, September 21, 2010, and December 7, 2010, when asked "have you ever been convicted of or pleaded guilty or no contest to committing any crime," Mr. Parker failed to list his convictions for assault and battery of a family member and vandalism.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), and (6) of the Code

and 18 VAC 90-25-100(2)(c) of the Regulations Governing Certified Nurse Aides (“Regulations”).

2. Finding of Fact No. 6 constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-25-100(2)(d) of the Regulations.

ORDER

WHEREFORE, it is hereby ORDERED as follows:


1. William Henley Parker, III, C.N.A., is hereby REPRIMANDED.
2. The right of William Henley Parker, III, to renew Certificate No. 1401-143537 to practice as a nurse aide in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED.
3. The certificate will be recorded as SUSPENDED and no longer current. Should Mr. Parker seek reinstatement of his certificate consistent with this Order, he shall be responsible for any fees that may be required for the reinstatement of his certificate prior to issuance of his certificate to resume practice.
4. At such time as Mr. Parker shall petition the Board for reinstatement of his certificate, an administrative proceeding will be convened to determine whether he is able to return to safe and competent practice as a nurse aide.

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.

Since Mr. Parker failed to appear at the informal conference, this Order shall be considered final. Mr. Parker 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, Mr. Parker has thirty (30) days from the date of service (the date he actually received this decision or the date it was mailed to him, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, M.S.M., R.N.,

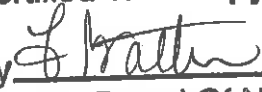
C.S.A.C., F.R.E., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

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: July 30, 2014

Certified True Copy

By 
Virginia Board Of Nursing