

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: STEPHEN WILLIAM CULLERS, R.N. REINSTATEMENT APPLICANT
License Number: 0001-150134
Case Number: 179770

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), a Special Conference Committee of the Virginia Board of Nursing (“Board”) held an informal conference on August 21, 2017, in Henrico County, Virginia, to receive and act upon Stephen W. Cullers’ application for reinstatement of his license to practice professional nursing in the Commonwealth of Virginia.

Stephen William Cullers, R.N. appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated July 26, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Mr. Cullers notifying him that an informal conference would be held on August 21, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Stephen William Cullers, R.N., was issued License Number 0001-150134 to practice professional nursing on August 8, 1996, which was indefinitely suspended on July 1, 2014. His primary state of residence is Virginia.
2. By Order of the Board entered December 12, 2003 (“Board’s Order”), Mr. Cullers’ license to practice professional nursing was revoked based on his severe problem with alcohol and his

dismissal from the Health Practitioners' Monitoring Program ("HPMP") [*formerly the Health Practitioners Intervention Program*]. Mr. Cullers submitted an application for reinstatement, which was denied by the Board on November 2, 2007. Mr. Cullers submitted a second application for reinstatement, which was granted by Board's Order entered November 14, 2008. Mr. Cullers' license was reinstated on probation for a period of one year of actual nursing practice and subject to certain terms and conditions. On July 2, 2013, Mr. Cullers submitted a request for release from probation, which was denied by Board's Order entered July 1, 2014. In addition Mr. Cullers' license was indefinitely suspended for a period of not less than two years, as a result of his failure to comply with the terms and conditions of the Board's Order entered November 14, 2008.

3. On June 21, 2016, Mr. Cullers submitted an application for reinstatement of his license to practice professional nursing. On July 27, 2016, he requested to withhold his application in order to seek treatment at the Hampton Veterans Medical Center, Hampton, Virginia, long-term substance abuse program. On March 27, 2017, Mr. Cullers requested that his application be reactivated.

4. Mr. Cullers violated Virginia Code § 54.1-3007(6) in that he is unsafe to practice due to substance abuse and/or mental and/or physical illness, as evidenced his history of alcohol abuse, multiple suicide attempts since 1979, and more than 25 psychiatric hospital admissions of varying lengths between about 2014 and 2017, after which his discharge diagnoses included major depressive disorder, polysubstance abuse, suicidal ideation, bipolar disorder, double depression vs. bipolar disorder, personality disorder, alcohol use disorder, anxiety disorder not otherwise specified, post-traumatic stress disorder, and adjustment disorder, among others.

5. Mr. Cullers provided evidence that he is currently enrolled in multiple programs with the Martinsburg, West Virginia, Veterans Administration Hospital. He stated to the Committee that he is currently attending a relapse prevention program entitled Outpatient Intensive Substance Use

Disorders Treatment Program. Mr. Cullers stated that he requested and is tested weekly by urine drug screen and breathalyzer. He provided evidence of completion of the Cat 5 Factor Recovery Model. Mr. Cullers stated that he sees a psychiatrist every six weeks, regularly sees a psychologist, sees a substance abuse counselor for aftercare once a week, and sees a Rehabilitation Vocational counselor.

6. Mr. Cullers provided a letter from the Program manager with the New Beginnings Challenge Transitional Housing Center, where he currently resides. The manager stated that Mr. Cullers is a positive element within the program. He is compliant with all the required standards and is a good neighbor to others in the program. Mr. Cullers has not been reprimanded nor had issues with his fellow residents. Mr. Cullers has been required to participate in random supervised breathalyzers and drug screenings. To date all of his screens and breathalyzer tests have been negative.

7. Mr. Cullers stated to the Committee that he last worked as a nurse in 2014, and is currently employed part-time at the Veterans Administration Hospital, as part of his incentive therapy, transporting patients in wheelchairs to the pharmacy to pick up medications. He stated that he has applied for two non-nursing positions at the hospital and is scheduled to take a CPR certification course on August 26, 2017.

8. Mr. Cullers stated to the Committee that he is an alcoholic and acknowledged extensive mental health and PTSD history. He stated that his date sobriety is January 4, 2017. He stated that he attends Alcoholics Anonymous daily and has two sponsors. One sponsor is on the hospital campus and the other is located in Virginia. He stated that he also attends Caduceus meetings every other week.

9. Mr. Cullers stated that he has support from his family and outside peer support groups and has begun a book study, demonstrating increased socialization.

10. Two of Mr. Cullers' treatment providers support the reinstatement of his license to practice professional nursing if he is monitored. Mr. Cullers stated to the Committee that he is willing to re-enter the HPMP.

11. Mr. Cullers otherwise meets the requirements for reinstatement of his license to practice professional nursing.

12. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Mr. Cullers' health records or health services.

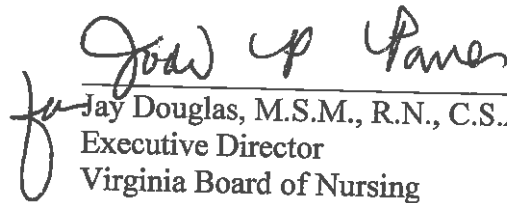
ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. The application of Stephen William Cullers, R.N., for reinstatement of his license to practice professional nursing is APPROVED contingent upon the following terms and conditions:
 - a. Mr. Cullers' entry into the HPMP. Thereafter, Mr. Cullers shall comply with the terms and conditions of the HPMP for the period specified by the HPMP.
 - b. Upon receipt of evidence of Mr. Cullers' participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Mr. Cullers' appearance before the Board and conduct an administrative review of this matter, at which time he may be issued an unrestricted license to practice professional nursing.
2. Mr. Cullers shall comply with all laws and regulations governing the practice of nursing in the Commonwealth of Virginia.
3. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of nursing shall constitute grounds for further disciplinary action.

Pursuant to Virginia Code §§ 2.2-4023 and 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.

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: September 25, 2017

NOTICE OF RIGHT TO APPEAL

Pursuant to Virginia Code § 54.1-2400(10), Mr. Cullers may, not later than 5:00 p.m., on October 30, 2017, notify Jay 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. This Order shall become final on October 30, 2017, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 
Virginia Board of Nursing