

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: STEPHEN W. CULLERS, R.N.
 License No.: 0001-150134**

NOTICE OF HEARING

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Stephen W. Cullers, R.N., who holds License No. 0001-150134 to practice professional nursing in Virginia which expires on December 31, 2015, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on June 2, 2014, at 1:30 p.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Mr. Cullers will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Mr. Cullers has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on his behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Mr. Cullers desires any witnesses to appear on his behalf, he must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to receive and act upon Mr. Cullers’ petition for release from the terms and conditions of probation as set forth in the Order of the Board entered on November 14, 2008 (“Board’s Order”), and to inquire into evidence that Mr. Cullers may have violated certain laws and regulations governing nursing practice in Virginia certain terms and conditions imposed on him as set forth in the Board’s Order, as more fully set forth in the Statement of Particulars below.

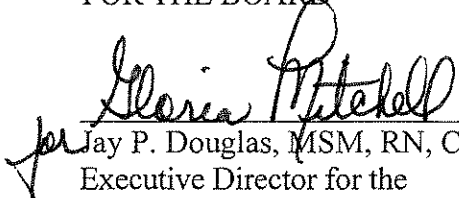
STATEMENT OF PARTICULARS

The Board alleges that:

1. Stephen W. Cullers, R.N., may have violated Term No. 1(a)(i) of the Board's Order, which required him to submit quarterly self reports, in that he failed to submit reports that were due March, June, September, and December 2010, and March, June, and September 2011.
2. Mr. Cullers may have violated Term No. 1(a)(ii) of the Board's Order, which required him to continue treatment with a mental health provider and submit written evidence of attendance within ten days of each meeting, in that he stopped attending treatment with his addictions therapist in November 2009, without having been discharged by the therapist.
3. Mr. Cullers may have violated Term No. 1(a)(iii) of the Board's Order, which required him to submit monthly reports from the mental health provider, in that he failed to submit reports that were due December 2009, March, June, September, and December 2010, March, June, September, and December 2011, and March and June 2012.
4. Mr. Cullers may have violated Term No. 1(a)(iv) of the Board's Order, which required him to undergo supervised, unannounced random drug screens at least once a month and submit the results quarterly, in that he failed to submit reports that were due September and December 2009, March, June, September, and December 2010, June and September 2011, and March and December 2012.
5. Mr. Cullers may have violated § 54.1-3007(6) of the Code and Term No. 1(a)(iv) of the Board's Order, which required him to undergo supervised, unannounced random drug screens and notify the Board immediately in writing of any positive results, in that:
 - a. On or about December 24, 2011, Mr. Cullers relapsed on alcohol and failed to notify the Board until on or about January 20, 2012.

- b. On or about December 29, 2011, Mr. Cullers tested positive for benzodiazepine; however, he failed to notify the Board until on or about January 20, 2012.
- c. On or about July 2, 2010, he tested positive for amphetamines.
- d. On or about November 16, 2012, he tested positive for opiates; however, he failed to notify the Board until on or about January 4, 2013.

FOR THE BOARD



Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director for the
Board of Nursing

ENTERED: April 29, 2014