

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: DIANIESE N. PINKNEY, L.P.N.
License No.: 0002-071595

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on May 22, 2014, in Henrico County, Virginia, to inquire into evidence that Dianiese N. Pinkney, L.P.N., may have violated certain laws and regulations governing nursing practice in Virginia. The case was presented by Amanda E. M. Blount, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Pinkney was present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Dianiese N. Pinkney, L.P.N., was issued License No. 0002-071595 to practice practical nursing in the Commonwealth of Virginia on July 8, 2005, pursuant to a Board Order entered on May 2, 2005. Said Order included findings that Ms. Pinkney was convicted of possession of cocaine, a felony, on December 16, 2003. Ms. Pinkney's license expires on March 31, 2016. Her primary state of residence is Virginia.

2. On June 19, 2013, Ms. Pinkney was hospitalized at Tucker Pavilion pursuant to a temporary detention order. She was brought to the emergency department by police after consuming an unknown number of medications and then acting out. She was admitted with a provisional diagnosis of mood disorder, not otherwise specified. A urine drug screen conducted upon her admission was positive for opiates and benzodiazepines. Her diagnosis at discharge was mood disorder, not otherwise specified and prescription

drug abuse.

3. In the discharge summary for Ms. Pinkney, the attending physician noted that her family reported a long history of prescription medication abuse. Ms. Pinkney testified that she did not fulfill the discharge recommendation for counseling. Ms. Pinkney was unable to articulate an understanding of the prior diagnoses and recommendations of mental health treatment providers.

4. Ms. Pinkney was dismissed from the practice of her primary care physician due to her reported angry, disruptive and drug-seeking behavior.

5. In interviews with and evidence provided to the Department of Health Professions Investigator, Ms. Pinkney's previous and current employers expressed concern about her mood, behavior, reliability, and conduct at work.

6. Ms. Pinkney testified that she is not receiving any mental health or substance abuse treatment. She also stated that she has not received any treatment since her June 2013 hospitalization. She testified that she does not have a substance abuse problem but has problems with anger management.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 2 constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. License No. 0002-071595 issued to Dianiese N. Pinkney, L.P.N., to practice practical nursing in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED for a period of not less than 18 months.

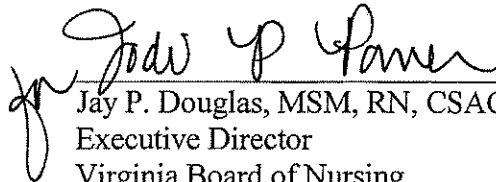
2. The license will be recorded as SUSPENDED and no longer current. Should Ms. Pinkney seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license prior to issuance of her license to resume practice.

3. At such time as Ms. Pinkney shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of practical nursing.

4. This Order shall be applicable to Pinkney's multistate licensure privileges, if any, to practice practical nursing.

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.

FOR THE BOARD



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

June 12, 2014
ENTERED

Certified True Copy

By 

Virginia Board of Nursing

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.