

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: ROBERT WILLIAMS, R.N. REINSTATEMENT APPLICANT

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on December 16, 2009, in Henrico County, Virginia, to receive and act upon Robert Williams’ application for reinstatement of his license to practice professional nursing in Virginia, and to inquire into evidence that Mr. Williams may have violated certain laws and regulations governing nursing practice. Mr. Williams was present and was not represented by legal counsel. Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Robert Williams was issued License No. 0001-168824 to practice professional nursing in the Commonwealth of Virginia on August 8, 2000. Said license was suspended by Order of the Board entered on November 16, 2005.
2. Mr. Williams submitted an application for reinstatement of his license to practice professional nursing, which was received by the Board on September 11, 2009.
3. Mr. Williams acknowledged at the informal conference that he is unable to safely practice professional nursing without monitoring, due to alcohol and substance abuse.
4. Mr. Williams stated that he had 13½ months of “clean time.” He attends AA meetings five times a week and has a sponsor. He entered into participation with the Health Practitioners’ Monitoring Program (“HPMP”) in January, 2009, and signed a Recovery Monitoring Contract with the HPMP on April 20, 2009. Jennifer Sears-Cockram, his HPMP case manager, appeared at the informal conference and stated

that Mr. Williams was fully compliant with the program. She stated that HPMP was advocating for the reinstatement of Mr. Williams' license.

5. Ms. Sears-Cockram also stated that Mr. Williams was attending the Richmond Intensive Outpatient Program ("IOP") and was compliant with that program. She stated that the IOP also advocated for the reinstatement of Mr. Williams' license.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(6) of the Code.
2. Based on the above Findings of Fact, the Committee concludes that Robert Williams is properly enrolled in the Health Practitioners' Monitoring Program ("HPMP").
3. Robert Williams otherwise meets the requirements for reinstatement of his license to practice professional nursing.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. The license of Robert Williams to practice professional nursing is hereby REINSTATED, contingent upon his continued compliance with all terms and conditions of the Recovery Monitoring Contract ("Contract") with the HPMP for the period specified in the Contract.
2. This order shall be applicable to Mr. Williams' multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Mr. Williams shall not work outside 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 he wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

3. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Robert Williams, and an administrative proceeding shall be held to decide whether her license should be revoked. Mr. Williams shall be noticed to appear before the Board at such time as the Board is notified that:

a. He is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;

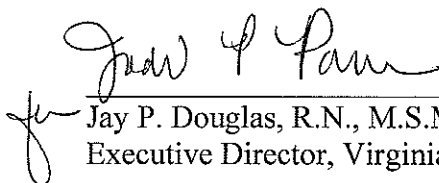
b. There is a pending investigation or unresolved allegation against him involving a violation of law or regulation or any term or condition of this Order; or

c. He has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Mr. Williams' participation in and compliance with the HPMP, the Board, at its discretion, may waive Mr. Williams' appearance before the Board and conduct an administrative review of this matter.

4. Mr. Williams shall maintain a course of conduct in his capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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 COMMITTEE



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

ENTERED: December 23, 2009

NOTICE OF RIGHT TO FORMAL HEARING

If you do not consent to the Committee’s decision and desire a hearing before the Board or a panel thereof, you shall notify, in writing, the Executive Director of the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, within 33 days of the date of entry of this Order. This Order shall become final upon expiration of the 33-day period unless a request for a formal hearing is received within such time. Upon receiving a timely request for a hearing, this Order shall be vacated and the Board or a panel thereof shall proceed with a hearing as provided in § 2.2-4020 *et seq.* of the Code.