



COMMONWEALTH of VIRGINIA

Department of Health Professions Board of Nursing

Nancy K. Durrett, R.N., M.S.N.
Executive Director
nursebd@dhp.state.va.us

September 19, 2002

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AMENDED NOTICE OF INFORMAL CONFERENCE

Robert C. Williams, R.N.
3445 Cedar Plains Road
Sandy Hook, Virginia 23153

CERTIFIED MAIL
71603901984475262327

RE: License No. 0001-168824

Dear Mr. Williams:

This is official notification that an Informal Conference will be held, pursuant to § 2.2-4019, § 2.2-4021, § 54.1-2400(10) and § 54.1-3010 of the Code of Virginia (1950), as amended, on **October 29, 2002, at 1:00 p.m.**, in the offices of the Department of Health Professions, 6606 West Broad Street, Southern States Building, Fourth Floor, Richmond, Virginia. You may be represented by an attorney at the Informal Conference.

The Special Conference Committee, which is comprised of two or three members of the Virginia Board of Nursing, will inquire into allegations that you may have violated § 54.1-3007(1), (2), (3), (5), (6) and (8) of the Code of Virginia (1950), as amended, and 18 VAC 90-20-300(A)(1)(b), (2)(a), (c), (e) and (f) of the Regulations of the Board of Nursing in that:

1. On or about January 7, 2002, you signed a Participation Contract with the Health Practitioners' Intervention Program ("HPIP"), pursuant to Chapter 25.1 of Title 54.1 of the Code, and 18 VAC 76-10-10, et seq., of the Regulations Governing the Health Practitioners' Intervention Program. On or about April 19, 2002, you were granted a stay of disciplinary action. On or about September 3, 2002, your stay of disciplinary action was vacated. During the process for which the stay was vacated, the following occurred:
 - a. On or about June 25, 2002, you tested positive for cannabinoids.
 - b. You failed to enter treatment at the Community Services Board as recommended by Virginia Monitoring, Inc.
 - c. You failed to advise your Case Manager with Virginia Monitoring, Inc., that you

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received a prescription for Tylenol #3 from your dentist, nor did you submit a copy of the prescription.

2. On or about January 4, 2002, by your own admission to the investigator from the Department of Health Professions:
 - a. You had an alcohol problem in January 1991.
 - b. Your employment with Capitol Medical Center, Richmond, Virginia, was terminated in June 2001 because you failed to report your 1987 misdemeanor conviction for sexual battery.
 - c. You took your wife's Ativan and stated that the medication made you feel in control and you were able to function.
 - d. Beginning in late July 2001, you began diverting Ativan (Lorazepam), a Schedule IV controlled substance, and in late September 2001, you began diverting Nubain (Opioid). Thereafter, you began diverting Stadol (Opioid), a Schedule IV controlled substance, while employed at Henrico Doctor's Hospital, Richmond, Virginia.
 - e. You have been treated for anxiety by Shane Kraus, M.D. Dr. Kraus prescribed Xanax (Benzodiazepine), a Schedule IV controlled substance, for you.
3. During the course of your employment at Henrico Doctor's Hospital Parham Campus Emergency Room, Richmond, Virginia:
 - a. From approximately July 1, 2001 through December 23, 2001, by your own admission, you diverted Stadol, Ativan and Nubain for your personal and unauthorized use. You accomplished the diversion by having an emergency room physician write a prescription for Ativan for you, by keeping the amount of medication left over after administering the medications to the patients, and by opening sharps containers and removing the vials after a witnessed wastage.
 - b. Sometime during the last week of December 2001, you diverted at least two (2) tablets of Ativan given to you by the Nursing Supervisor for administration to a patient in the emergency room.
 - c. On or about August 22, 2001, an elderly patient from a local nursing home was admitted to the emergency room. The patient was hypotensive with a history of GI bleed. While you and the physician were in the examining room, you became upset, left the patient unattended and left the emergency room department, advising only one nurse that you were leaving the unit and failing to provide information as to your whereabouts if needed. Additionally, when you returned to provide care to the patient, the patient was restless and you became agitated and stated in a loud voice, "Don't you pull out that IV, the next time, we'll put one right here," or words to that effect, as you tapped your finger on the patient's temporal area.

- d. On or about August 21, 2001, you were assigned to a patient who entered the emergency room via EMS secondary to unresponsiveness and low heart rate. Instead of monitoring the patient, you left the patient to enter lab work into the computer system.
 - e. On or about August 14, 2001, a patient entered the emergency room that had a rapid pulse rate. The attending physician ordered the administration of Cardizem 20 mg IV bolus, which should have been administered immediately; however, you did not begin the bolus for several minutes.
 - f. On or about August 12, 2001, you diverted one vial of Stadol, amount unknown, by removing the vial with the remaining medication from the clipboard where it had been attached for future use for a patient.
4. During the course of your employment with Tucker's Pavilion, Richmond, Virginia, on or about June 14, 2000, your employment was terminated. Specifically, your employment was terminated for:
- a. Failing to inform your supervisor that you did not pass the examination for licensure as a professional nurse, and you continued to work as a registered nurse applicant, when you were aware that you could not continue to practice.
 - b. Falsifying your application for employment in that you stated that you did not have any convictions, when, in fact, you were convicted in 1987 of sexual battery, a misdemeanor.
5. On or about March 2, 2000, you submitted an application for licensure by examination as a registered nurse in the Commonwealth. On or about May 23, 2000, you submitted an application for licensure by repeat examination as a registered nurse in the Commonwealth. By your own admission, you falsified both applications, in that you answered no to the question regarding criminal convictions, when, in fact, you were aware of your 1987 misdemeanor conviction of sexual battery.

Since the allegations listed above involve impairment, and you have entered into a Contract with the Health Practitioners' Intervention Program ("Program"), the Committee will take that into consideration and could, among other options, decide to close your case with no disciplinary action. The Conference Committee is authorized, after meeting with you, to take one of the following actions:

1. If the Committee finds that there is insufficient evidence to warrant further action or that the charges are without foundation, the Committee shall notify you by mail that your record has been cleared of any charge which might affect your right to practice nursing in the Commonwealth;
2. The Committee may place your license on probation with such terms as it may deem appropriate;

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3. The Committee may reprimand you;
4. The Committee may impose a monetary penalty pursuant to § 54.1-2401 of the Code; or
5. The Committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing. If the Conference Committee is of the opinion that a suspension or revocation of your license may be justified, the Committee may offer you a consent order in lieu of a formal hearing.

If you fail to appear at the Informal Conference, the Conference Committee will proceed to hear the case in your absence, and may take any of the actions outlined above.

At least ten (10) days prior to the scheduled date of the conference, please inform this office of your telephone number and whether you intend to appear at the conference. This can be done by calling our offices at (804) 662-9950 or by sending us a letter at the address listed above.

You have the right to information, which will be relied upon by the Board in making a decision. Therefore, I have enclosed a copy of the documents, which will be distributed to the members of the Committee and will be considered by the Committee when discussing the allegations with you and when deliberating upon your case. These documents are enclosed only with the original notice sent by certified mail, and must be claimed at the post office. Please bring these documents with you.

If you have any additional documents to be presented to the Conference Committee, please bring five (5) copies of each document with you.

Also, enclosed are copies of the relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws and regulations relating to the practice of nursing in Virginia that are cited in this notice.

Sincerely,



Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Deputy Executive Director

JPD/gem/dl

Enclosures

cc: Robert A. Nebiker, Director, Department of Health Professions
James L. Banning, Director for Administrative Proceedings
Martha W. Miller, Investigator (Case No. 84157)
Committee members
Gayle E. Miller, Senior Adjudication Analyst
Donna Whitney, L.P.N., C.S.A.C., Intervention Program Manager