

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: DOROTHY ANDERTON, R.N. REINSTATEMENT APPLICANT**  
**License No.: 0001-062713**

**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 21, 2014, in Henrico County, Virginia, to receive and act upon Dorothy Anderton's application for reinstatement of her license to practice professional nursing in Virginia and to inquire into evidence that Ms. Anderton may have violated certain laws and regulations governing nursing practice in Virginia. The case was presented by Anne Glick Joseph, Deputy Director, Administrative Proceedings Division. Erin Barrett, Assistant Attorney General, was present as legal counsel for the Board. Ms. Anderton 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. Dorothy Anderton was issued License No. 0001-062713 to practice professional nursing in the Commonwealth of Virginia on September 1, 1976. Said license was suspended by Order of the Director of the Department of Health Professions pursuant to § 54.1-2409 of the Code on August 15, 2013. Her primary state of residence is Virginia.
2. Ms. Anderton submitted an application for reinstatement of her license on September 12, 2013.
3. By Order entered January 11, 2013, the West Virginia Board of Examiners for Registered Professional Nurses suspended Ms. Anderton's license to practice nursing in West Virginia. This suspension formed the basis for the suspension of her license by the Virginia Department of Health Professions.
4. Ms. Anderton has an admitted history of alcohol dependence and a diagnosis of General

Convulsive Epilepsy.

5. On an application for employment with Trustaff Travel Nurses, submitted in or about January 2013:

a. Ms. Anderton indicated that she had never been convicted of a misdemeanor when, in fact, she had been convicted of misdemeanor driving under the influence on or about March 18, 2011, in the Frederick County, Virginia, General District Court.

b. Ms. Anderton failed to disclose her prior employment with Valley Health, Shenandoah Memorial Hospital, Winchester, Virginia, which was terminated on or about October 13, 2008.

c. Ms. Anderton failed to disclose her prior employment with Jefferson Memorial Hospital, Ranson, West Virginia, which was terminated on or about December 11, 2010 due to substance abuse during work hours.

6. Ms. Anderton reported a sobriety date of September 17, 2013.

7. Ms. Anderton signed a participation contract with the Health Practitioners' Monitoring Program ("HPMP") on March 25, 2014.

8. Ms. Anderton testified that she has not attended orientation for HPMP yet due to a broken ankle and so has not undergone random urine screens to date.

9. Ms. Anderton stated that she attends AA meetings once a week. Ms. Anderton testified that she has started over on Step 1, and that she is searching for a new sponsor who is also a health care professional.

10. Ms. Anderton testified that she last worked as an R.N. in March 2013.

**CONCLUSIONS OF LAW**

The Board concludes that:

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(7) of the Code.

2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code.

3. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(2) of the Code and 18 VAC 90-

20-300(A)(2)(e) of the Regulations Governing the Practice of Nursing.

**ORDER**

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

1. The application of Dorothy Anderton for reinstatement of License No. 0001-062713 to practice professional nursing in the Commonwealth of Virginia is hereby DENIED, due to a failure to obtain the affirmative vote for reinstatement of three-fourths of the members of the Board at the hearing.
2. The license of Ms. Anderton shall be CONTINUED on INDEFINITE SUSPENSION.
3. The license shall be recorded as suspended.
4. This suspension shall be applicable to Ms. Anderton's multistate licensure privileges, if any, to practice professional nursing.
5. Said suspension shall be STAYED contingent upon evidence that Ms. Anderton has entered into a Recovery Monitoring Contract with the HPMP. Thereafter, Ms. Anderton shall comply with the terms and conditions of the HPMP for the period specified by the HPMP.
6. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Ms. Anderton, and an administrative proceeding shall be held to decide whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:
  - a. Ms. Anderton is not in compliance with the terms and conditions specified by the HPMP, or has been terminated from participation in the HPMP, or
  - b. There is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of this Order.
7. This Order shall be applicable to Ms. Anderton's multistate licensure privileges, if any, to practice professional nursing. It is further ordered that for the duration of this Order, Ms. Anderton may not

work outside of 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 she wishes to work.

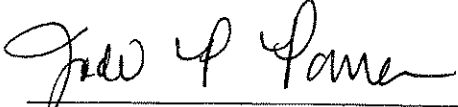
8. Upon receipt of evidence of Ms. Anderton's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Anderton's appearance before the Board, and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

9. Ms. Anderton shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

10. Dorothy Anderton, R.N., is hereby REPRIMANDED.

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

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

May 30, 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.