

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: DEBORAH SUSAN HEISLER, R.N., L.N.P.

CONSENT ORDER

Pursuant to § 9-6.14:11, § 54.1-2400(10) and § 54.1-3010 of the Code of Virginia (1950), as amended (the "Code"), an informal conference was held before a Special Conference Committee of the Board of Nursing (the "Committee") on January 5, 2000, in Henrico County, Virginia, to receive and act upon evidence that Deborah Susan Heisler, R.N., L.N.P., may have violated certain laws and regulations governing the practice of professional nursing in Virginia. Ms. Heisler was present and was represented by counsel, John S. Edwards, Esquire.

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

FINDINGS OF FACT

1. Deborah Susan Heisler, R.N., L.N.P., holds License No. 0001-066306 issued by the Virginia Board of Nursing to practice professional nursing in the Commonwealth of Virginia.
2. The Committee referred this matter to a formal hearing, and a Notice of Formal Hearing was issued on March 15, 2000. The formal hearing was scheduled for April 11, 2000 before a hearing officer in Roanoke, Virginia.
3. The parties agree that the formal hearing scheduled for April 11, 2000 is cancelled and the Notice of Formal Hearing is withdrawn.
4. The parties agree that this matter is referred back to the Committee in lieu of proceeding to a formal hearing on April 11, 2000.

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5. Based on information received from Ms. Heisler through her counsel, the Committee has determined that there is probable cause to believe that Ms. Heisler may be a candidate for participation in the Health Practitioners' Intervention Program, and the Committee will reconsider the matter in lieu of proceeding to a formal hearing.
6. The Committee defers adopting Findings of Fact and Conclusions of Law concerning the allegations set forth in the Notice of Informal Conference dated September 23, 1999 until such time as it receives a report concerning Ms. Heisler's health and Ms. Heisler has been noticed to appear before the Committee.

CONCLUSIONS OF LAW

This matter is properly before the Committee.

CONSENT

Deborah Susan Heisler, R.N., L.N.P., by affixing her signature hereon, agrees to the following:

1. Ms. Heisler acknowledges that she has been specifically advised to seek advice of counsel prior to signing this document;
2. Ms. Heisler acknowledges that she is fully aware that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 9-6.14:1, et seq., of the Code of Virginia, 1950, as amended;
3. Ms. Heisler acknowledges that she has the following rights among others: the right to an formal administrative hearing before the Board of Nursing, to reasonable notice of said administrative proceeding, to representation by counsel, and the right to present witnesses and evidence on her behalf;
4. Ms. Heisler waives all such right to a formal administrative hearing on April 11, 2000;

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5. Ms. Heisler admits to the above Findings of Fact;
6. Ms. Heisler consents to the entry of the following Order affecting her practice as a professional nurse in the Commonwealth of Virginia.

ORDER

The Board of Nursing ORDERS that the disposition of this matter be CONTINUED GENERALLY until June 30, 2000 on the following terms and conditions:

1. Ms. Heisler shall submit to a mental health evaluation by a health care provider acceptable to the Board and shall authorize full and unrestricted communication between the Board and the health care provider, including, but not limited to, authorizing the health care provider to submit a detailed report of findings to the Board. The failure of Ms. Heisler to submit to such examination shall constitute grounds for further disciplinary action, and an administrative proceeding shall be convened to determine what, if any, further action shall be taken in this case.
2. Upon receipt of the report concerning the results of Ms. Heisler's mental health evaluation, Ms. Heisler shall be noticed to appear before a Special Conference Committee of the Board of Nursing.

Pursuant to § 9-6.14:14 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public inspection or copying on request.

Deborah Susan Heisler, R.N., L.N.P.

FOR THE BOARD

Nancy K. Duffett
Nancy K. Duffett, R.N., M.S.N.
Executive Director for the
Board of Nursing

ENTERED: May 12, 2000

SEEN AND AGREED TO:

Deborah Susan Heisler
Deborah Susan Heisler, R.N., L.N.P.

COMMONWEALTH OF VIRGINIA,

COUNTY/CITY OF Roanoke, TO WIT:

Subscribed and sworn to before me, Sherie M. Oakey, a Notary Public, this
9th day of May, 2000.

My commission expires the 31st day of October, 2001.

Sherie M. Oakey
NOTARY PUBLIC