

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:        WENDL J. BARTON, R.N.**  
**License No.: 0001-167990**

**NOTICE OF HEARING**

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Wendl J. Barton, R.N., who, prior to its suspension by the Board of Nursing on December 13, 2013, held License No. 0001-167990 to practice professional nursing in Virginia, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on March 20, 2014, at 1:30 p.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Ms. Barton will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Barton has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. Barton desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.


The purpose of the hearing is to inquire into evidence that Ms. Barton may have violated certain terms and conditions imposed on her as set forth in the Consent Order of the Board entered on March 19, 2013, and to inquire into evidence that Ms. Barton may have violated certain laws governing professional nursing practice in Virginia, as more fully set forth in the Statement of Particulars below.

**STATEMENT OF PARTICULARS**

The Board alleges that Wendl J. Barton, R.N., may have violated Term No. 5 of the Consent Order entered March 19, 2013, which required her to comply with all terms and conditions of the Health Practitioners' Monitoring Program ("HPMP"), and § 54.1-3007(6) of the Code in that, on or about November 18, 2013, Ms. Barton was dismissed from the HPMP due to noncompliance. Specifically:

1. On or about April 24, 2013 and September 6, 2013, Ms. Barton tested positive for alcohol.
2. On four occasions between May 15, 2013 and August 27, 2013, Ms. Barton had dilute drug screens.
3. Ms. Barton ceased calling the drug screen test line on September 25, 2013, which resulted in missed drug screens on September 24 and 26, 2013.
4. Ms. Barton failed to enter and complete residential substance abuse treatment as recommended.

FOR THE BOARD

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

ENTERED: February 27<sup>th</sup>, 2014