

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:**

**RONALD M. SCHNEIDER, R.N.**

**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 November 20, 2008, in Henrico County, Virginia, to inquire into evidence that Ronald M. Schneider, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia. The case was presented by William Clay Garrett, Assistant Attorney General. Howard M. Casway, Senior Assistant Attorney General, was present as legal counsel for the Board. Mr. Schneider was not 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. Ronald M. Schneider, R.N., was issued License No. 0001-134875 to practice professional nursing in the Commonwealth of Virginia on September 15, 1993. Said license was summarily suspended by Order of the Board entered on September 12, 2008.
2. Based upon the representations of William Clay Garrett, Assistant Attorney General, and Commonwealth's Exhibit #1, the Notice of Formal Hearing and Affidavit of Mailing, and Exhibit #5, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in his absence.
3. During the course of his employment with Central State Hospital, Petersburg, Virginia, on several occasions between May 22, 2008, and July 11, 2008, Mr. Schneider reported to work with a strong smell of garlic or mouthwash. During said time period, he often had slurred speech and an unsteady gait,

and frequently left the building for non-work related activities. On July 11, 2008, a breath alcohol test was conducted after Mr. Schneider exhibited behavior that was reasonably suspicious for impairment. A breath test administered approximately three and one half hours after Mr. Schneider arrived at work and almost nine hours after the scheduled start of his shift revealed an initial reading of 0.226g/210L. A secondary test performed approximately 18 minutes after the first breath test revealed a reading of 0.233g/210L.

4. Mr. Schneider is unsafe to practice due to mental health and substance abuse issues which require treatment and for which he was hospitalized in December 2007.

### **CONCLUSIONS OF LAW**

The Board concludes that:

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(5) and (6) of the Code.
2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code.

### **ORDER**

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

1. License No. 0001-134875, issued to Ronald M. Schneider, R.N., to practice professional nursing in the Commonwealth of Virginia, is hereby CONTINUED on INDEFINITE SUSPENSION for a period of not less than one year.

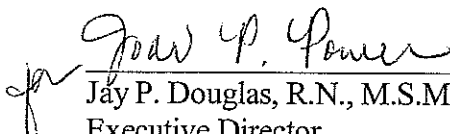
2. The license of Ronald M. Schneider, R.N., will be recorded as SUSPENDED and no longer current. Should Mr. Schneider seek reinstatement of his license consistent with this Order, he shall be responsible for any fees that may be required for the reinstatement of his license prior to issuance of his license to resume practice.

3. At such time as Mr. Schneider shall petition the Board for reinstatement of his license, a hearing will be convened to determine whether he is able to return to the safe and competent practice of professional nursing.

4. This Order shall be applicable to Mr. Schneider's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia.

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

November 26, 2008  
ENTERED

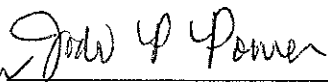
**NOTICE OF RIGHT TO APPEAL**

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, Richmond, 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.

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Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed on this day to Ronald M. Schneider, R.N., at 11610 Chigger Creek Road, Dinwiddie, Virginia 23840.

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

November 26, 2008  
DATE