

BEFORE THE BOARD OF NURSING

IN RE:

ERROL R. PHILLIPS, R.N.**CONSENT ORDER**

By letter dated December 29, 2010, the Board noticed Errol R. Phillips, R.N., for a formal hearing. In lieu of proceeding to a formal hearing, the Board and Mr. Phillips, as evidenced by their signatures affixed below, agree to enter into this Consent Order affecting the license of Mr. Phillips to practice professional nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Errol R. Phillips, R.N., was issued License No. 0001-202427 to practice professional nursing by the Virginia Board of Nursing on July 17, 2006. Said license was indefinitely suspended on November 18, 2010. His primary state of residence is Virginia. Pursuant to an Order of the Board entered July 20, 2010, the Board indefinitely suspended Mr. Phillips' license, with said suspension stayed contingent upon his continued compliance with the Health Practitioners' Monitoring Program ("HPMP").

2. On September 21, 2010, Mr. Phillips relapsed on alcohol. The HPMP recommended residential treatment, which Mr. Phillips failed to enter. On November 3, 2010, Mr. Phillips was dismissed from the HPMP for noncompliance.

3. Pursuant to a telephone call on January 19, 2011, Mr. Phillips offered to surrender his license.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 2 constitutes a violation of Term No. 5 of the Consent Order entered July 20, 2010, and § 54.1-3007(6) of the Code.

CONSENT

Errol R. Phillips, R.N., by affixing his signature hereon, agrees to the following:

1. He has been advised to seek advice of counsel prior to signing this document;
2. He acknowledges that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. He acknowledges that he has the following rights, among others: the right to a formal fact finding hearing before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against him;
4. He waives all such right to a formal hearing;
5. He admits to the Findings of Fact contained herein and waives his right to contest such Findings of Fact in any subsequent proceeding before the Board;
6. He consents to the entry of the following Order affecting his right to practice professional nursing in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. Errol R. Phillips, R.N., is hereby REPRIMANDED.
2. The license of Errol R. Phillips, R.N., to practice professional nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED for a period of not less than one year.
3. The license will be recorded as suspended and no longer current.
4. At such time as Mr. Phillips shall petition the Board for reinstatement of his license, an administrative proceeding will be convened to determine whether he is capable of resuming the safe and

competent practice of professional nursing. Mr. Phillips shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.

5. This suspension applies to any multistate privilege to practice professional nursing.

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 upon request.

FOR THE BOARD

Patricia M. Selig
Patricia M. Selig, R.N., F.N.C., Ph.D.
President, Virginia Board of Nursing

ENTERED: January 25, 2011

SEEN AND AGREED TO:

Errol R. Phillips
Errol R. Phillips, R.N.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Fairfax, TO WIT:

Subscribed and sworn to before me, Errol R. Phillips, a Notary Public, this 24th day of JANUARY, 2011.

My commission expires 7/31/12

Registration Number 179474

Vickey C. Asquariello
NOTARY PUBLIC

