

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: ESTHER CORINA STEWARD, L.P.N. REINSTATEMENT APPLICANT
License No.: 0002-054689

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on February 10, 2014, in Henrico County, Virginia, to receive and act upon the application of Esther Corina Steward for reinstatement of her license to practice practical nursing in Virginia and to inquire into evidence that Ms. Steward may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Steward was present and was not represented by legal counsel.

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

FINDINGS OF FACT

1. Esther Corina Steward was issued License No. 0002-054689 to practice practical nursing in the Commonwealth of Virginia on June 4, 1997. Said license was suspended by Order of the Board entered on April 8, 2009, due to findings of alcohol abuse and impairment while on duty. Her primary state of residence is Virginia.
2. By letter dated January 7, 2014, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Steward notifying her that an informal conference would be held on February 10, 2014. The Notice was sent by certified and first class mail to 7563 Kimberton Court, Manassas, Virginia 20111, the address of record on file with the Board of Nursing.
3. Ms. Steward submitted an application for reinstatement of her license to practice practical nursing which was received by the Board on August 27, 2013.

4. Ms. Steward was hospitalized for alcohol dependence at Prince William Hospital, Manassas, Virginia, from August 25, 2010 to August 29, 2010.
5. Ms. Steward received residential substance abuse treatment at the following facilities: The Watershed, Delray Beach, Florida, from February 24, 2009 to May 9, 2009; and Boxwood Recovery Center, Culpeper, Virginia, from September 16, 2010 to October 14, 2010, and June 15, 2012 to July 13, 2012.
6. Ms. Steward was hospitalized at Mary Washington Hospital – Snowden at Fredericksburg, from February 28, 2012 to March 8, 2012, subsequent to a temporary detention order.
7. Ms. Steward was hospitalized for alcohol dependence and major depression at Poplar Springs Hospital, Petersburg, Virginia, from May 15, 2012 to May 21, 2012.
8. On October 7, 2008, in the General District Court of Fredericksburg, Virginia, Ms. Steward was convicted of being drunk in public. She was fined \$25.00 plus \$71.00 in court costs.
9. On December 11, 2008, in the General District Court of Spotsylvania County, Virginia, Ms. Steward was convicted of driving while under the influence. She was fined \$350.00 plus \$191.00 in court costs, ordered to pay restitution in the amount of \$945.00 and ordered to complete the Virginia Alcohol Safety Action Program.
10. On December 13, 2010, in the General District Court of Spotsylvania County, Virginia, Ms. Steward was convicted of being drunk in public. She was fined \$25.00 plus \$116.00 in court costs.
11. On October 23, 2012, in the General District Court of Spotsylvania County, Virginia, Ms. Steward was convicted of being drunk in public. She was fined \$100.00 plus \$81.00 in court costs.
12. On June 14, 2012, in the General District Court of Spotsylvania County, Virginia, Ms. Steward was convicted of misdemeanor embezzlement. She was sentenced to 90 days in jail, suspended, and ordered to pay \$211.00 in court costs and \$150.00 restitution to Walmart.

13. On or about December 19, 2012, in the Circuit Court of Spotsylvania County, Virginia, Ms. Steward was convicted of assault upon a law enforcement officer, a felony. She was sentenced to three years incarceration with two years and three months suspended.

14. Ms. Steward failed to reveal all of the above-referenced convictions on the application for reinstatement dated August 20, 2013.

15. Ms. Steward provided receipts from the Orange County clerk's office verifying payment of court fines. She has not paid the fines for Spotsylvania County yet.

16. Ms. Steward entered a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") on October 18, 2013. Her orientation was pending a substance abuse evaluation. Ms. Steward underwent a substance abuse evaluation on January 15, 2014, at the Prince William County Community Services Board.

17. Ms. Steward reported a sobriety date of December 10, 2012. She attends Alcoholics Anonymous meetings two times a week and has a sponsor. Random urine drug screens are conducted by her probation officer. Her last drug screen was in October or November, 2013, and was negative.

18. Ms. Steward reported that she last practiced nursing in 2008 at Mary Washington Hospital. She is currently unemployed and has a microbusiness making scrub hats.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 4-11, and Finding of Fact No. 16 constitute a violation of § 54.1-3007(6) of the Code.

2. Findings of Fact Nos. 12 and 13 constitute a violation of § 54.1-3007(4) of the Code.

3. Finding of Fact No. 14 constitutes a violation of § 54.1-3007(1) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing.

4. The Board concludes that Ms. Steward has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner with certain terms and conditions.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. The license of Esther Corina Steward to practice practical nursing in Virginia is hereby REINSTATED contingent upon her continued compliance with all terms and conditions of the HPMP for the period specified by the HPMP.

2. This order shall be applicable to Ms. Steward's multistate licensure privilege, if any, to practice practical nursing. For the duration of this Order, Ms. Steward shall not work outside 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. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

3. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Esther Corina Steward, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Steward shall be noticed to appear before the Board at such time as the Board is notified that:

a. Ms. Steward is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;

b. There is a pending investigation or unresolved allegation against Ms. Steward involving a violation of law or regulation or any term or condition of this Order; or

c. Ms. Steward has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Steward's participation in and compliance with the HPMP, the

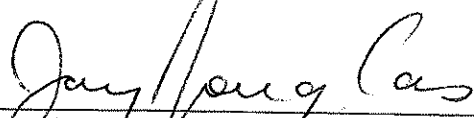
Board, at its discretion, may waive Ms. Steward's appearance before the Board and conduct an administrative review of this matter.

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

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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Steward may, not later than 5:00 p.m., on **March 31, 2014**, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

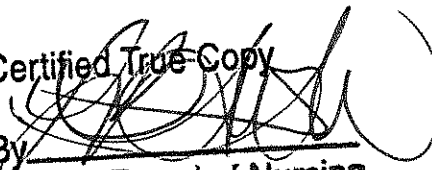
FOR THE COMMITTEE:



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

ENTERED: February 26TH 2014

This Order shall become final on **March 31, 2014**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 
Virginia Board of Nursing