

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

LORIE ANN SMITH BIELLI, R.N. APPLICANT

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Lorie Ann Smith Bielli, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Bielli's license to practice professional nursing.

FINDINGS OF FACT

1. Lorie Ann Smith Bielli, R.N., submitted an application for licensure by endorsement as a professional nurse which was received by the Board on November 19, 2007.
2. On July 23, 1998, Ms. Bielli was issued license number 56032 by the West Virginia Board of Examiners for Registered Professional Nurses ("West Virginia Board") to practice professional nursing.
3. By Consent Agreement dated September 27, 2007, the West Virginia Board ordered that Ms. Bielli's license be suspended for a period of one (1) year with the suspension stayed, that her license be placed on probation for a period of two (2) years as a registered professional nurse, subject to terms and conditions, and that she pay an administrative fine of \$2,000. This Consent Agreement was based on Ms. Bielli's long-standing substance abuse and failure to comply with previous Consent Agreements issued by the West Virginia Board, including her failure to renew her license.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(7) of the Code of Virginia (1950), as amended ("Code").
2. Ms. Bielli meets the qualifications of § 54.1-3018.A of the Code.

CONSENT

Ms. Bielli, by affixing her signature hereon, agrees to the following:

1. Ms. Bielli has been advised to seek advice of counsel prior to signing this document;
2. Ms. Bielli acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. Ms. Bielli acknowledges that she has the following rights, among others: the right to an informal fact finding conference 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 her;
4. Ms. Bielli waives all such right to an informal conference;
5. Ms. Bielli admits to the Findings of Fact contained herein and waives her right to contest such Findings of Fact in any subsequent proceeding before the Board;
6. Ms. Bielli consents to the entry of the following Order affecting her right to practice professional nursing in Virginia.

ORDER

WHEREFORE, it is hereby ORDERED that the application of Lorie Ann Smith Bielli for licensure by endorsement as a professional nurse hereby is APPROVED. Ms. Bielli shall be placed upon PROBATION in her practice as a professional nurse subject to the following terms and conditions:

1. The period of probation shall begin on the date that this Order is entered and shall end at such time as Ms. Bielli has completed three (3) years of active employment as a professional nurse. The license of Ms. Bielli shall be reinstated without restriction at the completion of the probationary period without a hearing unless there is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of probation. In that event, the period of probation shall be continued

indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 2.2-4000 et. seq. and § 54.1-2400.9 et. seq. of the Code.

2. Ms. Bielli shall enter into a Participation Contract (“Contract”) with the Health Practitioners’ Intervention Program (“HPIP”) pursuant to Chapter 25.1 of Title 54.1 of the Code, and 18 VAC 76-10-10 et. seq. of the Regulations Governing HPIP and shall provide proof of entry into the HPIP to the Board within sixty (60) days from the date this Order is entered. After entry into HPIP, Ms. Bielli shall comply with all terms and conditions for the period specified in the Contract.

3. Ms. Bielli shall inform the Board in writing within ten (10) days of the date she begins nursing practice, or changes employment, or if any interruption in nursing practice occurs. Additionally, Ms. Bielli shall provide the name and address of each employer to the Board.

4. Ms. Bielli shall inform her current nursing employer and each future nursing employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order. If Ms. Bielli is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.

5. Ms. Bielli shall submit quarterly “Self-Reports” which include a current address, telephone number, and verification of all current employment. These reports shall also include any changes in employment status. The first report must be received in the Board office no later than sixty (60) days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends.

6. The Board shall issue a license marked “Valid in Virginia Only; Probation with Terms”.

7. Ms. Bielli shall conduct herself as a professional nurse in compliance with the requirements of Title 54.1, Chapter 30 of the Code, and the Board of Nursing Regulations.

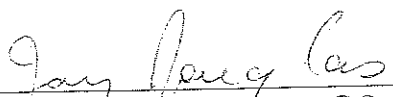
8. Any violations of terms and conditions of HPIP or any of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Bielli and an administrative proceeding shall be held. Ms. Bielli shall be noticed to appear at an administrative hearing at such time as the Board is notified that:

- a. Ms. Bielli has failed to enter into a Contract with HPIP by the above date; or
- b. Ms. Bielli is not in compliance with the terms and conditions specified by HPIP or has been terminated by HPIP; or
- c. Ms. Bielli is not in compliance with any of the Terms of Conditions of this Order.

9. Upon receipt of evidence that Ms. Bielli has successfully completed her Contract with HPIP, the Board, at its discretion, may waive Ms. Bielli's appearance at an informal proceeding and conduct an administrative review of this matter.

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

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

ENTERED: February 15<sup>th</sup>, 2008

SEEN AND AGREED TO:

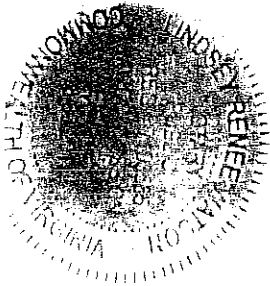
Lorie A. Bielli  
Lorie Ann Smith Bielli, R.N.

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

Subscribed and sworn to before me, Lindsey Watson, a Notary Public, this 13<sup>th</sup> day of February, 2008.

My commission expires June 30, 2011.

Registration Number 7103565



Lindsey Watson  
NOTARY PUBLIC

LINDSEY RENEE WATSON  
NOTARY PUBLIC  
Commonwealth of Virginia  
Reg. #7103565

**Certified True Copy**

By daraham  
Virginia Board of Nursing