

MAY 05 2015
DHP

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: TONYA C. DOSS, L.P.N.
License No.: 0002-079397

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Tonya C. Doss, L.P.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Doss' license to practice practical nursing in Virginia.

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

FINDINGS OF FACT

1. Tonya C. Doss, L.P.N., was issued License No. 0002-079397 to practice practical nursing by the Virginia Board of Nursing on November 4, 2008. Said license is set to expire on July 31, 2016. Her primary state of residence is Virginia.
2. By Consent Order of the Board entered on December 19, 2013, Ms. Doss was reprimanded and no further action was taken against her, contingent upon her continued compliance with the Health Practitioners' Monitoring Program ("HPMP") for the period specified by the HPMP. Said action was based on findings that Ms. Doss diverted controlled medications and falsified medication administration records at Trinity Mission Nursing Home, Rocky Mount, Virginia.
3. On January 31, 2014, Ms. Doss tested positive for alcohol. On February 6, 2014, Ms. Doss admitted that she had been drinking alcohol for the past month and had been arrested for driving while under the influence on February 5, 2014.
4. On March 29, 2014, Ms. Doss was arrested for public intoxication. While appearing before the magistrate, Ms. Doss became combative and bit the law enforcement officer. She was subsequently

convicted of assault and batter on a law enforcement officer and was sentenced to 12 months in jail with 10 months suspended.

5. Ms. Doss had the following additional convictions in the General District Court of Franklin County, Virginia:

a. On May 14, 2014, Ms. Doss was convicted of public intoxication and assessed fines and court costs totaling \$53.00.

b. On July 23, 2014, Ms. Doss was convicted of driving while under the influence. She was sentenced to 30 days in jail, suspended, assessed fines and court costs totaling \$609.00 and ordered to complete the Virginia Alcohol Safety Action Program (VASAP).

6. On September 19, 2014, Ms. Doss was dismissed from the HPMP due to continued use of alcohol, failure to comply with the toxicology screening program and failure to enter and complete treatment as recommended.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 3 - 6 constitute a violation of § 54.1-3007(6) of the Code.
2. Finding of Fact No. 6 constitutes a violation of Term No. 2 of the Consent Order entered December 19, 2013.

CONSENT

Tonya C. Doss, L.P.N., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She 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. She 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. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice practical 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. Tonya C. Doss, L.P.N., is hereby REPRIMANDED.
2. License No. 0002-079397 of Tonya C. Doss, L.P.N., is INDEFINITELY SUSPENDED.
3. The license will be recorded as suspended and no longer current.
4. At such time as Ms. Doss shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of practical nursing. Ms. Doss 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 practical 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

Joyce A. Hahn

Joyce A. Hahn, PhD, RN, NEA-BC, FNAP
President, Virginia Board of Nursing

ENTERED: 5-19-15

SEEN AND AGREED TO:

Tonya C. Doss
Tonya C. Doss, L.P.N.

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

Subscribed and sworn to before me, Jonathan Mark Winesett, a Notary Public, this 29th day of April, 2015.

My commission expires April 30, 2017

Registration Number 7264528

Jonathan Mark Winesett
NOTARY PUBLIC

JONATHAN MARK WINESETT
Notary Public
Commonwealth of Virginia
7264528
My Commission Expires Apr 30, 2017

Certified True Copy
By *M. Bauser*
Virginia Board of Nursing