



# COMMONWEALTH of VIRGINIA

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January 31, 2006

Diane Wells Doggett, R.N.  
413 Shirley Road  
Seaford, Virginia 23696

**CERTIFIED MAIL**  
**71603901984887245727**

**RE: License No.: 0001-087159**  
**Expiration Date: 1/31/06**

Dear Ms. Doggett:

This is official notification that an Informal Conference will be held, pursuant to § 2.2-4019, § 2.2-4021 and § 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), on **February 28, 2006, at 2:00 p.m.**, in the offices of the Department of Health Professions, 6603 West Broad Street, Fifth Floor, Richmond, Virginia. You may be represented by an attorney at the Informal Conference.

The Special Conference Committee ("Committee"), which is comprised of two or three members of the Virginia Board of Nursing ("Board"), will inquire into allegations that you may have violated certain laws and regulations governing the practice of nursing in Virginia. Specifically:

1. You may have violated § 54.1-3007(6) of the Code, in that, you were dismissed from the Health Practitioners' Intervention Program for non-compliance with the terms and conditions of your contract; you are dependent upon Percocet (oxycodone, Schedule II); you submitted a positive urine drug screen; and you received prescription refills earlier than you should have needed to if you were taking the medication as directed. Specifically:

- a. On or about October 20, 2003, you entered into a Participation 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 the HPIP. This was done with the

understanding that the program is to assist those persons who have impairment, defined as "a physical or mental disability, including, but not limited to substance abuse, that substantially alters the ability of a practitioner to practice his profession with safety to his patients and the public." On or about December 15, 2003, you entered into a Recovery Monitoring Contract. On or about September 27, 2004, you entered into Recovery Monitoring Contract #4. Per the terms of that Recovery Monitoring Contract, you must seek approval from the HPIP prior to beginning work in a health profession. On or about October 12, 2004, you began employment as a charge nurse at Regency Healthcare Center, Yorktown, Virginia, without receiving approval from the HPIP. On or about March 11, 2005, you were dismissed from the HPIP due to your accepting employment as a health professional without receiving permission from the HPIP.

- b. By your own admission, you are dependent upon Percocet (oxycodone, Schedule II), which you receive by prescription.
- c. Examination of your pharmacy prescription profile reveals that, at least during the course of 2001 through 2003, you received frequent refills of prescription medications, such that you received refills at least one (1) week earlier than was necessary if you were taking the medication as directed. Specifically:
  - i. On at least thirty-one (31) occasions, you received diazepam (Schedule IV) seven (7) or more days before you should have needed to receive a refill. On at least five (5) occasions, you received diazepam more than a month early.
  - ii. On at least seven (7) instances during 2002, you received acetaminophen with codeine (Schedule III) at least one (1) week before you should have required a refill.
- d. On or about August 25, 2004, you submitted a urine drug screen that tested positive for Ultram. By your own admission, you ingested four (4) Ultram (tramadol, Schedule IV) tablets that you had obtained from a friend. As a result of your positive drug screen, on or about September 29, 2004, you were terminated from your employment as MDS Coordinator with Newport News Nursing Rehabilitation Center, Newport News, Virginia.

2. You may have violated § 54.1-3007(2), (5), (6) and (8) of the Code, and 18 VAC 90-20-300(A)(2)(c) and (e) of the Board of Nursing Regulations, in that, during the course of your employment in the emergency department at Sentara Care Plex Hospital, Hampton, Virginia, you diverted medications for your personal and unauthorized use, falsifying patient and employer records in the process. Specifically, hospital examination of patient records revealed at least ten (10) instances between on or about July 14, 2003, and September 29, 2003, where your documentation suggests you diverted medication. These documentation discrepancies include instances where you withdrew medication for a patient who did not have an order for the withdrawn medication; you did not administer some or all of a withdrawn medication and did not document that you wasted the excess medication; and you withdrew medication for a patient when another nurse documented administration of the same medication. At least two (2) of the patients for whom you withdrew medications were not patients in the emergency department and, therefore, you did not have reason to withdraw medications for them. On three (3) of the occasions, all taking place on or about September 26, 2003, you used another nurse's Pyxis code to withdraw medication. Of the ten (10) instances of suspect documentation, seven (7)

involve Percocet, two (2) involve morphine (Schedule II) and one (1) involves Demerol (meperidine, Schedule II). As a result of your apparent diversion, on or about October 7, 2003, your employment was terminated.

3. You may have violated § 54.1-3007(2) of the Code, and 18 VAC 90-20-300(A)(2)(e) of the Board of Nursing Regulations, in that, on or about October 7, 2004, you falsified your application for employment with Regency Healthcare Center. Specifically, you stated on your application that you left your employment with Newport News Nursing and Rehabilitation Center because of unreasonable work hours. However, on or about September 29, 2004, you were terminated due to a positive drug screen for Ultram.

After the conference, the Committee is authorized to take the following actions:

1. If the Committee finds that there is insufficient evidence to warrant further action or that the charges are without foundation, the Committee shall notify you by mail that your record has been cleared of any charge which might affect your right to practice nursing in the Commonwealth;
2. The Committee may place you on probation with such terms as it may deem appropriate;
3. The Committee may reprimand you;
4. The Committee may modify a previous Order;
5. The Committee may impose a monetary penalty pursuant to § 54.1-2401 of the Code; or
6. The Committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing. If the Committee is of the opinion that a suspension or revocation of your license may be justified, the Committee may offer you a consent order in lieu of a formal hearing.

If you fail to appear at the informal conference, the Committee will proceed to hear the case in your absence, and may take any of the actions outlined above.

At least ten (10) days prior to the scheduled date of the conference, please inform this office of your telephone number and whether you intend to appear at the conference. This can be done by calling our offices at (804) 662-9950 or by sending us a letter at the address listed above.

You have the right to information that the Board will rely upon in making a decision. Therefore, I have enclosed a copy of the documents that will be distributed to the members of the Committee. The Committee, when discussing the allegations with you and deliberating upon your case, will consider these documents. These documents are enclosed only with the original notice sent by certified mail, and must be claimed at the post office. Please bring these documents with you.

If you have any additional documents to be presented to the Committee, please bring five (5) copies of each document with you.

Also, enclosed are copies of the relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws and regulations relating to the practice of nursing in Virginia that are cited in this notice.

Sincerely,



Susan Bell Rosen, R.N., F.N.P., M.S., J.D.  
Deputy Executive Director, Discipline

SBR/gk

Enclosures

cc: Robert A. Nebiker, Director, Department of Health Professions  
Anne G. Joseph, Deputy Director, Administrative Proceedings Division  
Special Conference Committee Members  
Grant Kronenberg, Adjudication Specialist  
Patricia A. Stigall, RN, MS, Regional Enforcement Manager (102145 & 92594)  
Peggy W. Call, Intervention Program Manager