

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: ANTHONY L. WALL, R.N.
License No.: 0001-222326**

ORDER

In accordance with §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on July 9, 2013, in Henrico County, Virginia. Anthony L. Wall, R.N., was present and was not represented by legal counsel. Janet B. Younger, R.N., P.N.P., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On September 18, 2013, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Mr. Wall appeared but was not represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Anthony L. Wall, R.N., was issued License No. 0001-222326 to practice professional nursing in Virginia on December 2, 2009. The license is scheduled to expire on May 31, 2015. His primary state of residence is Virginia.
2. By letter dated June 13, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Mr. Wall notifying him that an informal conference would be held on July 9, 2013. The Notice was sent by certified and first class mail to 4401 Carmel Drive, Chester, Virginia 23831, the address of record on file with the Board of Nursing.
3. During the course of his employment in the Behavioral Health Unit of John Randolph Medical Center, Hopewell, Virginia:

a. On October 30, 2012, when Patient A, a female geriatric patient, hit Mr. Wall, he responded by grabbing Patient A around the neck in an aggressive manner. Patient B responded to this incident by attacking Mr. Wall, and Mr. Wall engaged in an altercation with her. Mr. Wall acknowledged that he reacted inappropriately to being hit.

b. On numerous occasions between October 2011 and October 2012, Mr. Wall used profanity towards patients. Mr. Wall acknowledged that it was wrong to use profanity.

4. On numerous occasions between October 2011 and October 2012, Mr. Wall used profanity towards staff, lost his temper, and became explosive. Mr. Wall was referred to the Employee Assistance Program to address his anger management. Mr. Wall reported that he attended six sessions of anger management counseling; however, he did not feel he was provided with alternatives on how to appropriately manage his anger.

5. On November 2, 2012, John Randolph Medical Center placed Mr. Wall on administrative leave; he resigned from employment on November 4, 2012. Mr. Wall reported that he has not been employed in a healthcare setting since that time.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing.

2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(5) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Anthony L. Wall, R.N., shall be placed on INDEFINITE PROBATION for not less than three years of actual nursing practice, subject to the following terms and conditions:

- a. The period of probation shall begin on the date that this Order is entered and shall continue indefinitely. After three years of active employment as a professional nurse, Mr. Wall may request that the Board end this probation.
- b. Mr. Wall shall inform the Board in writing within ten days of the date he begins nursing practice, or changes employment, or if any interruption in nursing practice occurs. Additionally, Mr. Wall shall provide the name and address of each employer to the Board.
- c. Mr. Wall shall inform his current nursing employer and each future nursing employer that the Board has placed him on probation and shall provide each employer with a complete copy of this Order. If Mr. Wall is employed through a staffing agency, he shall inform his supervisor in each facility where assigned that he is on probation.
- d. Performance Evaluations shall be provided, at the direction of Mr. Wall, by all nursing employer(s), as provided by the Compliance Division. The first report must be received in the Board office no later than 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.
- e. Mr. Wall shall enroll in and successfully complete an anger management counseling program conducted by a Board-approved provider. Said program shall be conducted in a live, face-to-face setting, and is to be completed within 60 days of the date of entry of this Order. Mr. Wall shall not practice until he has provided written evidence to the Board of satisfactory completion of said program and has received permission from the Board to do so.
- f. Mr. Wall shall practice nursing only in a structured, supervised employment setting satisfactory to the Board for the first two years after being placed on probation. This employment setting shall provide on-site supervision by a physician or professional nurse who works the same shift on the

same level of the building and holds an unrestricted license. For the third year of probation, the employment setting shall provide on-site supervision by a physician or professional nurse who works the same shift and holds an unrestricted license. For all current nursing employment, and before beginning or changing nursing employment during this period, Mr. Wall shall have current and all prospective employers provide a written description of the employment setting to the Board office for approval.

g. Mr. Wall shall provide the anger management provider and all current and future treating practitioners with a complete copy of this Order and shall execute an Authorization for Disclosure of Information form providing for unrestricted communication between the Board and any court-appointed probation or parole officers and any consultants designated by the Board.

h. Mr. Wall 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 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.

i. Mr. Wall shall return all copies of his license to practice as a professional nurse to the Board office within ten days of the date of entry of this Order, along with a payment of a fee of \$5.00. Upon receipt, the Board shall issue a new license marked "Valid in Virginia Only; Probation with Terms."

2. Any violation of the stated terms and conditions contained in this Order, or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia, or failure to comply with all terms of this Order within five (5) years of the date of entry of the Order, shall be reason for suspending or revoking the license of Anthony L. Wall, R.N., and an administrative proceeding may be held to determine whether his license shall be suspended or revoked.

3. This Order is applicable to Mr. Wall's multistate licensure privileges, if any, to practice

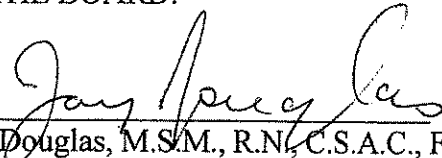
professional nursing. For the duration of this Order, Mr. Wall shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where he wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

4. Mr. Wall shall maintain a course of conduct in his capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Regulations Governing the Practice of Nursing.

Pursuant to § 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 a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Section 54.1-2400(10) of the Code, Mr. Wall may, not later than 5:00 p.m., on November 5, 2013, 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 he 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.

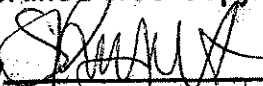
FOR THE BOARD:


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

ENTERED: October 3RD 2013

This Order shall become final on November 5, 2013 unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By: 
Virginia Board of Nursing