

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

WILLIAM D. DIMENT, R.N.

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 August 10, 2009, in Henrico County, Virginia, to inquire into evidence that William D. Diment, R.N., may have violated certain laws and regulations governing professional nursing in Virginia. Mr. Diment 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. William D. Diment, R.N., was issued License No. 0001-149807 to practice professional nursing in the Commonwealth of Virginia on July 25, 1996. Said license expires on February 28, 2011.
2. By his own admission, during the course of Mr. Diment’s employment with Commonwealth Center for Children and Adolescents, Staunton, Virginia, in December, 2005, he copied 81 pages of multiple patient health records, including names, ages, and other identifying information. He later distributed them in 2007, to several agencies and newspapers, including the Secretary of the Virginia Department of Health and Human Resources, the Virginia Office of the Inspector General, the Justice Department, the American Civil Liberties Union, the Richmond Times Dispatch newspaper, the Washington Post and the Associated Press, without authorization.

3. At the informal conference, Mr. Diment maintained that he copied the records because he felt ethically obligated to do so, but realized that he breached confidentiality.

4. Mr. Diment admitted at the informal conference that despite requests to return the records to the facility, he continued to be in possession of a portion of them.

5. Mr. Diment stated that he was continually frustrated by the culture of nursing at this and other facilities and that his complaints were repeatedly ignored.

6. Mr. Diment reported at the informal conference that his employment from an elder care facility was terminated in March, 2009, as a result of his involvement in the seclusion of a patient and failure to follow proper procedures. He further reported that he was currently employed on a part time basis with Nurse Finders.

CONCLUSIONS OF LAW

Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2) and (5) of the Code, 18 VAC 90-20-300(A)(2)(m) of the Regulations Governing the Practice of Nursing, and § 32.1-127.1:03 of the Code.

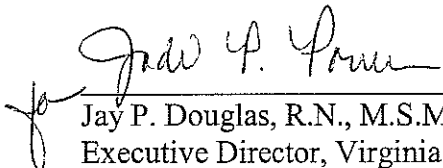
ORDER

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

1. William D. Diment, R.N., is hereby REPRIMANDED.
2. Mr. Diment shall maintain a course of conduct in his capacity as a registered 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.

FOR THE COMMITTEE



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

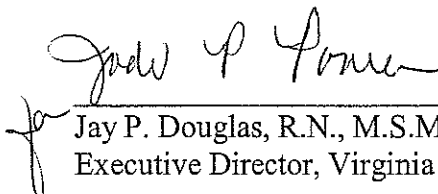
ENTERED: August 20, 2009

NOTICE OF RIGHT TO FORMAL HEARING

If you do not consent to the Committee's decision and desire a hearing before the Board or a panel thereof, you shall notify, in writing, the Executive Director of the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, within 33 days of the date of entry of this Order. This Order shall become final upon expiration of the 33-day period unless a request for a formal hearing is received within such time. Upon receiving a timely request for a hearing, this Order shall be vacated and the Board or a panel thereof shall proceed with a hearing as provided in § 2.2-4020 *et seq.* of the Code.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Order was mailed, by certified and regular mail, this day to William D. Diment, R.N., at P. O. Box 2704, Staunton, Virginia 24402.



Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director, Virginia Board of Nursing
August 20, 2009
Date