

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: DOROTHY M. ANDERTON, R.N.
License No.: 0001-062713

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on January 26, 2015, in Henrico County, Virginia, to inquire into evidence that Dorothy M. Anderton, R.N., may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board entered on May 30, 2014, and to inquire into evidence that Ms. Anderton may have violated certain laws governing professional nursing practice in Virginia. The case was presented by Tammie D. Jones, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Anderton was not present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Dorothy M. Anderton, R.N., was issued License No. 0001-062713 to practice professional nursing in the Commonwealth of Virginia on September 1, 1976. Said license was mandatorily suspended pursuant to § 54.1-2409 of the Code by Order of the Department of Health Professions entered on August 15, 2013, following the summary suspension of her license by the West Virginia Board of Nursing, which found that Ms. Anderton was impaired while on duty. Her primary state of residence is Virginia.
2. By Order of the Board entered on May 30, 2014, Ms. Anderton's application for reinstatement of her license was denied. Ms. Anderton was continued on indefinite suspension with said suspension stayed contingent upon her entry into a Recovery Monitoring Contract and thereafter complying with the Health

Practitioners' Monitoring Program ("HPMP").

3. Based upon the representations of Tammie Jones and Commonwealth's Exhibit #1, the Notice of Formal Hearing and Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in her absence.

4. Ms. Anderton entered a Recovery Monitoring Contract with the HPMP on May 28, 2014.

5. Ms. Anderton was dismissed from the HPMP on July 18, 2014, due to noncompliance.

Specifically:

a. Ms. Anderton tested positive for alcohol on May 28, 2014 and June 17, 2014. Ms. Anderton subsequently reported drinking two liters of wine on June 14, 15 and 20, 2014.

b. Ms. Anderton failed to call the drug screen test line on July 2, 2014 and stopped calling on July 7, 2014.

c. Ms. Anderton failed to enter residential treatment as recommended.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 5 constitutes a violation of § 54.1-3007(6) of the Code and Term No. 5 of the Order entered May 30, 2014.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. Dorothy M. Anderton, R.N., is hereby REPRIMANDED.

2. License No. 0001-062713 issued to Dorothy M. Anderton, R.N., to practice professional nursing in the Commonwealth of Virginia is hereby CONTINUED on INDEFINITE SUSPENSION.

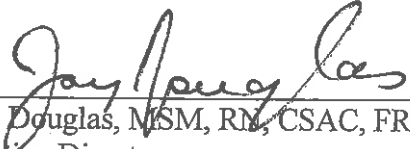
3. The license of Ms. Anderton will be recorded as SUSPENDED. Should Ms. Anderton seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license privilege prior to issuance of her license to resume practice.

4. At such time as Ms. Anderton shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of professional nursing.

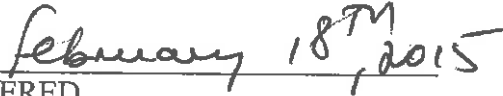
5. This Order shall be applicable to Ms. Anderton's multistate licensure privileges, if any, to practice professional nursing.

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 on request.

FOR THE BOARD



Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing



ENTERED

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy

By 

Virginia Board Of Nursing