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VA BD OF NURSING

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: JOHN LEWIS, R.N.
License No.: 0001-180295

CONSENT ORDER

The Virginia Board of Nursing ("Board") and John Lewis, R.N., as evidenced by his signature hereto, enter into the following Consent Order affecting Mr. Lewis' license to practice professional nursing in Virginia.

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

FINDINGS OF FACT

1. John Lewis, R.N., was issued License No. 0001-180295 to practice professional nursing by the Virginia Board of Nursing on July 12, 2002. Said license is set to expire on March 31, 2014. His primary state of residence is Louisiana.

2. By Order of the Board entered February 3, 2011 ("Board's Order"), the Board placed Mr. Lewis on probation for two years of active employment as a professional nurse subject to certain terms and conditions. This Order was based on the Board's findings that he was dismissed from the Health Practitioners' Monitoring Program for failing to follow his verbal agreement with his case manager to not report to work for 48 hours after he ingested Vicodin (hydrocodone bitartrate and acetaminophen, Schedule III) that was prescribed to him by his dentist. The Board also found that Mr. Lewis admitted that he may have an alcohol problem that may impair his ability to safely practice nursing, and that he falsified an employment application.

3. Between April 4, 2011, and January 31, 2013, Mr. Lewis has not complied with certain terms of the Board's Order. Specifically:

a. Term No. 2(g) of the Board's Order required Mr. Lewis to have one supervised, unannounced random drug screen a quarter, from a Board-approved testing entity, which included alcohol. The Board did not receive any drug screen reports.

b. Term No. 2(h) of the Board's Order required Mr. Lewis to attend Alcoholics Anonymous, Caduceus, or other recovery support groups acceptable to the Board three times per week, and have a sponsor or other contact person submit evidence of Mr. Lewis' attendance each month. Mr. Lewis did not submit any recovery group attendance logs.

c. Term No. 2(j) of the Board's Order required Mr. Lewis to submit quarterly self-reports beginning on April 4, 2011. Mr. Lewis did not submit any self-reports.

4. Mr. Lewis reported that he has not been employed as nurse since March 5, 2011.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3(a) constitutes a violation of Term No. 2(g) of the Board's Order.
2. Finding of Fact No. 3(b) constitutes a violation of Term No. 2(h) of the Board's Order.
3. Finding of Fact No. 3(c) constitutes a violation of Term No. 2(j) of the Board's Order.

CONSENT

John Lewis, R.N., by affixing his signature hereon, agrees to the following:

1. He has been advised to seek advice of counsel prior to signing this document;
2. He acknowledges that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. He acknowledges that he 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 him;
4. He waives all such right to an informal conference;

5. He admits to the Findings of Fact and Conclusions of Law contained herein and waives his right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;

6. He consents to the entry of the following Order affecting his right to practice professional 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. John Lewis, R.N., is hereby REPRIMANDED.
2. License No. 0001-180295 of John Lewis, R.N., is INDEFINITELY SUSPENDED.
3. The license will be recorded as suspended and no longer current.
4. At such time as Mr. Lewis shall petition the Board for reinstatement of his license, an administrative proceeding will be convened to determine whether he is capable of resuming the safe and competent practice of nursing. Mr. Lewis 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 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 upon request.

FOR THE BOARD:

Jane R. Ingalls
Jane R. Ingalls, R.N./Ph.D.
President, Virginia Board of Nursing

ENTERED: July 17, 2013

SEEN AND AGREED TO:

John Lewis, R.N.
John Lewis, R.N.

~~STATE OF VIRGINIA~~
~~COMMONWEALTH OF VIRGINIA,~~
COUNTY/CITY OF LAFAYETTE, TO WIT:
PARISH

Subscribed and sworn to before me, RANDALL L. GUSTY a Notary Public, this 28th day of JUNE, 2013.

My commission expires UPON MY DEATH.

Registration Number 13713

[Signature]
NOTARY PUBLIC

Certified True Copy

By [Signature]
Virginia Board of Nursing