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VA BD OF NURSING

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

JULIE L. DEROUCHIE, L.P.N.

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Julia Derouchie, L.P.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Mr. Derouchie's license to practice practical nursing in Virginia.

FINDINGS OF FACT

1. Julie L. Derouchie, L.P.N., was issued License No. 0002-061539 to practice practical nursing by the Virginia Board of Nursing on February 14, 2001. Said license is set to expire on September 30, 2010.
2. From April 2007 until her termination on July 26, 2007, while employed with Newport News Nursing and Rehab, Newport News, Virginia, Ms. Derouchie diverted Schedule II and III controlled medications for personal use.
3. On September 25, 2007, Ms. Derouchie entered into a Participation Contract with the Virginia Health Practitioners' Intervention Program ("HPIP"), which included a stay of disciplinary action by the Board.
4. On August 15, 2008, HPIP notified Ms. Derouchie that she was not in compliance with her contract, but would be allowed to remain in the program, although the stay of disciplinary action would be vacated.

CONCLUSIONS OF LAW

Finding of Fact No. 2 constitutes a violation of § 54.1-3007 (2), (5), (6), and (8) of the Code of Virginia (1950) as amended (“Code”), and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing.

CONSENT

Julie L. Derouchie, L.P.N., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she 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 her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact contained herein and waives her right to contest such Findings of Fact in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice practical 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. The Board shall TAKE NO ACTION at this time contingent on the following condition:

a. Within thirty (30) days of entry of this Order, Julie L. Derouchie, L.P.N., shall enter into a Recovery Monitoring Contract with HPIP.

b. Thereafter, Ms. Derouchie shall comply with all the terms and conditions of the HPIP Recovery Monitoring Contract for the period specified by HPIP.

2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Derouchie, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Derouchie shall be noticed to appear before the Board at such time as the Board is notified that:

a. Ms. Derouchie has failed to make application to the HPIP;

b. Ms. Derouchie is not in compliance with the terms and conditions of the HPIP, or has been terminated from participation in the HPIP;

c. There is a pending investigation or unresolved allegation against Ms. Derouchie involving a violation of law or regulation or any term or condition of this Order; or

d. Ms. Derouchie has successfully completed the above-referenced period of participation in the HPIP. However, upon receipt of Ms. Derouchie's participation in and compliance with the HPIP, the Board, at its discretion, may waive Ms. Derouchie's appearance before the Board and conduct an administrative review of this matter.

3. Ms. Derouchie shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

4. Ms. Derouchie shall only practice practical nursing in the Commonwealth of Virginia. Should Ms. Derouchie seek to practice practical nursing outside of the Commonwealth of Virginia, she must first obtain permission from the Board.

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

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

ENTERED: December 15th, 2008

SEEN AND AGREED TO:

Julie L. Derouchie, LPN
Julie L. Derouchie, L.P.N.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Newport News, TO WIT:

Subscribed and sworn to before me, Shelvaughn T. Jones, a Notary Public, this 2nd day of December, 2008.

My commission expires 8/31/12

Registration Number 7158539

Shelvaughn T. Jones
NOTARY PUBLIC

