

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

**DIADRA D. OUTLAND, L.P.N.
a.k.a. Diadra Bowman, L.P.N.**

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 May 21, 2008, in Henrico County, Virginia, to inquire into evidence that Diadra D. Outland may have violated certain laws and regulations governing practical nursing practice in Virginia. The case was presented by Mary Beth Shelton, Adjudication Specialist, Administrative Proceedings Division. Howard M. Casway, Senior Assistant Attorney General, was present as legal counsel for the Board. Ms. Outland was 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. Diadra D. Outland holds License No. 0002-062245 to practice practical nursing in the Commonwealth of Virginia. Said license expires on November 30, 2009.
2. Ms. Outland's license to practice practical nursing in the Commonwealth was suspended summarily by the Board by Order dated January 22, 2008.
3. During an interview with an investigator for the Department of Health Professions on December 14, 2007, Ms. Outland admitted to the daily use and addiction to illegal drugs, specifically heroin and marijuana over a period of five years. Ms. Outland admitted that she used heroin on December 13, 2007, prior to reporting for work at Chesapeake Healthcare and Rehabilitation Center, Chesapeake, Virginia. As a result of her admission, Ms. Outland's employment was suspended on December 14, 2007. On December

14, 2007, Ms. Outland submitted to a urine drug screen which tested positive for cocaine and opiates, specifically morphine.

4. Ms. Outland testified that following the suspension of her license, she has been drug free following detoxification as of February 23, 2008. She further testified that she entered into an Intensive Outpatient Drug Therapy Program with Finney Psychotherapy Associates, Norfolk, Virginia, on April 25, 2008, attends Narcotics Anonymous meetings and continues in treatment with William Alford, Jr., M.D., at Bruder Counseling Center, Virginia Beach, Virginia, for treatment with Suboxone. Ms. Outland also testified that she would be willing to enter into a Recovery Monitoring Contract with the Virginia Health Practitioners' Intervention Program ("HPIP").

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact #3 constitutes a violation of § 54.1-3007(2) and (6) of the Code.

ORDER

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

1. License No. 0002-062245 issued to Diadra D. Outland to practice practical nursing in the Commonwealth of Virginia, is hereby CONTINUED on INDEFINITE SUSPENSION. Said suspension shall be STAYED upon proof that Ms. Outland has entered into a Recovery Monitoring Contract with the Health Practitioners' Intervention Program ("HPIP") and upon the condition that she remain compliant with the terms of a Recovery Monitoring Contract with the HPIP and the following terms and conditions:

a. Ms. Outland shall comply with all terms and conditions for the period specified by the HPIP.

b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Diadra D. Outland and an administrative proceeding shall be held to decide whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:

i. Ms. Outland is not in compliance with the terms and conditions specified by the HPIP, or has been terminated from participation in the HPIP, or

ii. There is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of this Order.

2. Upon receipt of evidence of Ms. Outland's participation in and successful completion of the terms specified by the HPIP, the Committee, at its discretion, may waive Ms. Outland's appearance before the Committee, and conduct an administrative review of this matter.

3. This Order shall be applicable to Ms. Outland's multistate licensure privileges, if any, to practice practical in the Commonwealth of Virginia. It is further ordered that for the duration of this Order, Ms. Outland may 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 she wishes to work.

4. Ms. Outland 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.

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



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


May 23, 2008
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, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Richmond, 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.

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed on this day to Diadra D. Bowman at Endicotte Road, Portsmouth, Virginia 23702.


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

May 23, 2008
DATE