

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: LATOYA GRAY WILSON, L.P.N.
License No.: 0002-073885

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 December 7, 2011, in Henrico County, Virginia, to inquire into evidence that LaToya Gray Wilson, L.P.N., may have violated certain laws and regulations governing practical nursing practice in Virginia. Ms. Wilson was present and was not represented by counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. LaToya Gray Wilson, L.P.N., was issued License No. 0002-073885 to practice practical nursing in the Commonwealth of Virginia on July 18, 2006. Said license expires on October 31, 2012. Virginia is her primary state of residence.
2. By letter dated October 27, 2011, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Wilson notifying her that an informal conference would be held on December 7, 2011. The Notice was sent by certified and first class mail to 1423 Custer Street, Petersburg, Virginia 23803, the address of record on file with the Board of Nursing.
3. During the course of her employment as a PRN nurse with The Dunlop House, Colonial Heights, Virginia, from October 31, 2009 through March 19, 2011, on 44 different dates Ms. Wilson clocked-in for a shift for which she did not work. By her own admission, and as shown on video

surveillance footage; Ms. Wilson entered the building, clocked-in using both a fingerprint scan and entry of a personal identification number, then left the building. She returned later each date to clock-out. In total, Ms. Wilson fraudulently received compensation in excess of \$6,000.

4. During the course of her employment with Southside Virginia Training Center, Petersburg, Virginia, on 57 different dates, from September 2009 through May 10, 2011, Ms. Wilson clocked-in for a shift for which she did not work. By her own admission, Ms. Wilson entered the building, clocked-in by swiping her badge, and then left the building. She returned later that date to clock-out. In total, Ms. Wilson fraudulently received compensation in excess of \$15,000.

5. On at least 11 different dates, during the period October 31, 2009 through March 19, 2011, Ms. Wilson abandoned patient care at Southside Virginia Training Center to return to The Dunlop House, to clock out for a shift which she did not work, then returned to Southside Virginia Training Center to complete her scheduled shift. Ms. Wilson stated at the informal conference that she notified the former shift that she was leaving the building temporarily; however, this is unsubstantiated by the evidence.

6. On July 6, 2011, Ms. Wilson was convicted of misdemeanor embezzlement in the General District Court of the City of Colonial Heights, Virginia. Ms. Wilson stated at the informal conference that she made full restitution for this charge on the date of the hearing.

7. On May 4, 2011, Ms. Wilson was convicted of petit larceny in the General District Court of the City of Colonial Heights, Virginia.

CONCLUSIONS OF LAW

1. Findings of Fact No. 3 and 4 constitute violations of §54.1-3007(2), (3), and (5) of the Code and 18 VAC 90-20-300A(2)(e) of the Regulations Governing Professional Nursing (“Regulations”)

2. Finding of Fact No. 5 constitutes a violation of §54.1-3007(2), (3), (5), and (8) of the Code and 18 VAC 90-20-300A(2)(e) and (f) of the Regulations.

3. Findings of Fact Nos. 6 and 7 constitute violations of §54.1-3007(4) of the Code.

ORDER

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

1. LaToya Gray Wilson, L.P.N., shall be placed on PROBATION for a period of two years of actual nursing practice and subject to the following terms and conditions:
 - a. The period of probation shall begin on the date that this Order is entered and shall end at such time as Ms. Wilson has completed two years of active employment as a licensed practical nurse. The license of Ms. Wilson shall be reinstated without restriction at the completion of the probationary period without a hearing unless there is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, §2.2-4000 et seq. and §54.1-2400(9) et seq. of the Code.
 - b. Ms. Wilson shall inform the Board in writing within ten days of the date she begins nursing practice, or changes employment, or if any interruption in nursing practice occurs. Additionally, Ms. Wilson shall provide the name and address of each employer to the Board.
 - c. Ms. Wilson shall inform her current nursing employer and each future nursing employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order. If Ms. Wilson is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.
 - d. Performance Evaluations shall be provided, at the direction of Ms. Wilson, by all nursing employer(s), as provided by the Compliance Division. The first report must be received in the Board office no later than sixty days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends.

- e. Ms. Wilson shall provide evidence that she has completed the following NCSBN online courses within 30 days of entry of the Order: Ethics of Nursing Practice; Professional Accountability & Legal Liability for Nurses.
- f. Ms. Wilson shall practice nursing only in a structured/supervised employment setting satisfactory to the Board for the two years after being placed on probation. This employment setting shall provide on-site supervision by a licensed practical nurse who works the same shift, works on the same level of the building, and holds an unrestricted license. For all current nursing employment, and before beginning or changing nursing employment during this period, Ms. Wilson shall have current and all prospective employers provide a written description of the employment setting to the Board office for approval.
- g. Ms. Wilson shall request her court appointed parole/probation officer to provide the Board with a written report describing how she is meeting the conditions of her parole/probation within 60 days from the date this Order is entered.
- h. Ms. Wilson shall provide the Board with a certified true copy of her final court order placed on record by the Court upon completion of her parole/probation.
- i. Ms. Wilson shall submit quarterly "Self-Reports" which include a current address, telephone number, and verification of all current employment. These reports shall also include any changes in employment status. The first report must be received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends.
- j. Ms. Wilson shall return all copies of her license to practice as a licensed practical nurse, to the Board office within ten days of the date of entry of this Order along with a payment of a fee of \$15.00. Upon receipt, the Board shall issue a new license marked "Valid in Virginia Only; Probation with Terms."

k. Ms. Wilson shall conduct herself as a licensed practical nurse in compliance with the requirements of Title 54.1, Chapter 30 of the Code and the Board of Nursing Regulations.

l. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Wilson and an administrative proceeding shall be held to decide whether her license shall be revoked.

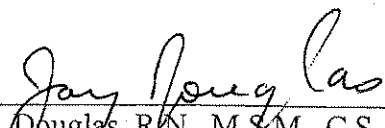
2. Ms. Wilson is hereby REPRIMANDED.

3. This order shall be applicable to Ms. Wilson's multistate licensure privilege, if any, to practice practical nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Wilson shall not work outside 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 Ms. Wilson wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of 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 on request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Wilson may, not later than 5:00 p.m., on January 16, 2012, notify Jay P. Douglas, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:


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

ENTERED: December 13TH, 2011

Certified True Copy

By 
Virginia Board of Nursing

This Order shall become final on January 16, 2012 unless a request for a formal administrative hearing is received as described above.