

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: LATOYA 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 June 23, 2014, in Henrico County, Virginia, to inquire into evidence that LaToya Wilson, L.P.N., may have violated certain terms and conditions imposed on her license to practice practical nursing in Virginia, as set forth in the Order of the Board entered on June 4, 2013 (“Board’s Order”), and to receive and act upon Ms. Wilson’s petition for modification of the terms and conditions of probation as set forth in the Board’s Order. 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 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, 2014. Ms. Wilson’s primary state of residence is Virginia.

2. By letter dated May 27, 2014, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Wilson notifying her that an informal conference would be held on June 23, 2014. 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. Ms. Wilson submitted a petition for modification of the Board's Order entered June 4, 2013, which was received by the Board on August 9, 2013.

4. Term No. 3 of the Board's Order required Ms. Wilson to inform her current nursing employer and each future nursing employer that the Board has placed her on probation and to provide each employer with a complete copy of the Order. Ms. Wilson was not to be employed through a staffing agency. From July 5, 2013, through March 1, 2014, she was employed with Professional Edge Nursing, Prophetstown, Illinois, a staffing agency, and she failed to provide this employer with a copy of the Board's Order.

5. Term No. 4 of the Board's Order required Ms. Wilson to submit quarterly performance evaluations. She failed to submit the performance evaluations due on September 30, 2013, and December 31, 2013.

6. Term No. 5 of the Board's Order required Ms. Wilson to practice nursing only in a structured/supervised setting satisfactory to the Board for the duration of her probation. This employment setting was to provide on-site supervision by a physician/professional nurse, who works the same shift and 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, she was to have current and all prospective employers provide a written description of the employment setting to the Board for approval. Ms. Wilson failed to seek and obtain approval for her employment with Professional Edge Nursing. Further, she failed to have Professional Edge Nursing provide the Board with a written description of the employment setting for approval.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of Term No. 3 of the Board's Order.
2. Finding of Fact No. 5 constitutes a violation of Term No. 4 of the Board's Order.
3. Finding of Fact No. 6 constitutes a violation of Term No. 5 of the Board's Order.

ORDER

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

1. LaToya Wilson, L.P.N., is hereby REPRIMANDED.
2. Ms. Wilson's petition for modification of the Board's Order entered June 4, 2013 is hereby DENIED.
3. Ms. Wilson shall be CONTINUED on INDEFINITE PROBATION for a period of not less than two years of actual nursing practice and subject to the following terms and conditions:
 - a. After two years of active employment as a licensed practical nurse, Ms. Wilson may request that the Board end this probation.
 - 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. Ms. Wilson shall not be employed through a staffing agency.
 - 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 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.
 - e. Ms. Wilson shall practice nursing only in a structured /supervised employment setting satisfactory to the Board for the duration of her probation. This employment setting shall provide on-site supervision by a physician /professional 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.

f. 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.

4. This order shall be applicable to Ms. Wilson’s multistate licensure privilege, if any, to practice practical nursing. 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.


5. Any violation of the stated terms and conditions contained in this Order, or failure to comply with all terms of this Order within five years of the date of entry of the Order, shall be reason for suspending or revoking the license of Ms. Wilson and an administrative proceeding may be held to determine whether her license shall be suspended or revoked.

6. Ms. Wilson 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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Wilson may, not later than 5:00 p.m., on August 18, 2014, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., 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, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director, Virginia Board of Nursing

ENTERED: July 14th 2014

This Order shall become final on August 18, 2014, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 

Virginia Board of Nursing