

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: VIRGINIA A. WATKINS, R.N.**  
**License No.: 0001-155042**

**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 22, 2013, in Henrico County, Virginia, to inquire into evidence that Virginia A. Watkins, R.N., may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board entered on November 23, 2011. The case was presented by Tammie D. Jones, Adjudication Specialist, Administrative Proceedings Division. Howard M. Casway, Senior Assistant Attorney General, was present as legal counsel for the Board. Ms. Watkins 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. Virginia A. Watkins, R.N., was issued License No. 0001-155042 to practice professional nursing in the Commonwealth of Virginia on July 24, 1997. Said license was indefinitely suspended on February 20, 2013. Her primary state of residence is Virginia. By Order entered November 23, 2011, Ms. Watkins' license was indefinitely suspended, with said suspension stayed contingent upon proof of entry into the Health Practitioners' Monitoring Program ("HPMP") and thereafter, complying with all terms and conditions. This action was based on findings that Ms. Watkins abused alcohol and drank while on duty.

2. Ms. Watkins entered a Recovery Monitoring Contract with the HPMP on April 30, 2012. On January 11, 2013, Ms. Watkins was dismissed from the HPMP due to noncompliance. Specifically, Ms.

Watkins failed to comply with the urine toxicology screening program. Ms. Watkins tested positive for EtG/EtS on June 11, 2012, and admitted to drinking beer. Following notification of the positive drug screen, Ms. Watkins reported that she drank again. Ms. Watkins failed to test on September 27, 2012, and subsequently, stopped calling the test line. On October 10, 2012, she submitted a letter of resignation to the HPMP.

3. Ms. Watkins attributes her inability to participate in the HPMP to financial difficulties, due to a lack of employment. Her last employment was between October and December, 2012. Ms. Watkins testified that she is willing to re-enter the HPMP. Ms. Watkins has made contact with Richmond IOP to resume participation.

#### **CONCLUSIONS OF LAW**

The Board concludes that Finding of Fact No. 2 constitutes a violation of Term No. 5 of the Board Order entered November 23, 2011.

#### **ORDER**

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

1. Virginia A. Watkins, R.N., is hereby REPRIMANDED.
2. License No. 0001-155042 issued to Virginia A. Watkins, R.N., to practice professional nursing in the Commonwealth of Virginia, is hereby CONTINUED on INDEFINITE SUSPENSION. Said suspension shall be STAYED upon proof that Ms. Watkins has entered into a Recovery Monitoring Contract with the Health Practitioners' Monitoring Program ("HPMP") and upon the condition that she remain compliant with the terms of a Recovery Monitoring Contract with the HPMP and the following terms and conditions:

- a. Ms. Watkins shall comply with all terms and conditions for the period specified by the HPMP.

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 Virginia A. Watkins, R.N., 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. Watkins is not in compliance with the terms and conditions specified by the HPMP, or has been terminated from participation in the HPMP, or

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

3. Upon receipt of evidence of Ms. Watkins' participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Watkins' appearance before the Board, and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

4. This Order shall be applicable to Ms. Watkins' multistate licensure privileges, if any, to practice professional nursing. It is further ordered that for the duration of this Order, Ms. Watkins 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.

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

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

May 31, 2013  
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, Henrico, 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.

Certified True Copy )  
By drahan  
Virginia Board of Nursing