

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: JAMES C. WALKER, L.P.N.
License No.: 0002-083935

AMENDED NOTICE OF HEARING

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), James C. Walker, L.P.N., who holds License No. 0002-083935 which expires on December 31, 2013, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on May 20, 2013, at 1:30 p.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Mr. Walker will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Mr. Walker has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on his behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Mr. Walker desires any witnesses to appear on his behalf, he must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to inquire into evidence that Mr. Walker may have violated certain laws and regulations governing nursing practice in Virginia, as more fully set forth in the Statement of Particulars below.

STATEMENT OF PARTICULARS

The Board alleges that:

1. James C. Walker, L.P.N., may have violated § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing in that:

a. In or about May 2012, during the course of his employment with Team Nurse, Verona, Virginia, Mr. Walker was assigned to provide care to Client A, who required Mr. Walker to maintain the client's needs while he attended school. Mr. Walker left Client A alone at times in his classroom, he was observed mouthing "I love you" to a female student to whom he was not related as he passed her classroom, and he made sexually inappropriate comments to female students while sitting with Client A in the cafeteria.

b. On or about April 20, 2012, during the course of his employment with Nurse Finders, Charlottesville, Virginia, and while assigned to the University of Virginia, Healthsouth, Charlottesville, Virginia ("UVA"), Mr. Walker touched Patient B, who is alert and oriented, on the upper leg then kissed her mouth and talked to her about sex. Further, when Patient B complained of stomach pain, Mr. Walker palpated her stomach and was overheard by another staff member telling Patient B that she was full of sh*t.

c. On or about April 20, 2012, at UVA Mr. Walker woke Patient C, who was alert and oriented, by rubbing her breast and stomach in a circular motion. Mr. Walker also repeatedly called her "big" and became angry when he entered her room to find that Patient C's husband had assisted her in changing into her nightgown, stating that it was his job to help her change.

d. During the course of his employment with Harrisonburg Health and Rehabilitation Center, Harrisonburg, Virginia, Resident D, who is alert and oriented, reported to a staff member on or about August 9, 2012, that Mr. Walker spoke to her in a rude and rough tone, and felt that he verbally abused her. Further, nine female staff members reported that Mr. Walker made sexually harassing comments to them, and that he made unwanted physical contact with them during his shift.

2. Mr. Walker may have violated § 54.1-3007(4) of the Code in that on or about September 10, 2012, he was convicted of petit larceny in the Waynesboro, Virginia General District Court.

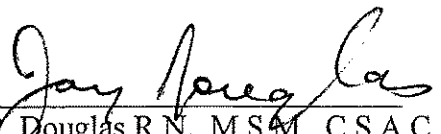
3. Mr. Walker may have violated § 54.1-3007(6) of the Code in that he may be unsafe to practice as a practical nurse due to substance abuse and mental illness. From or about February 22, 2010, until March 8, 2010, Mr. Walker was hospitalized at Perry Point Veteran's Administration Medical Center ("Perry Point VA"), Perry Point, Maryland, for suicide ideations, and with a discharge diagnosis of recurrent depressive disorder and moderate cocaine dependence. From or about July 6, 2009 until September 14, 2009, he was treated at the Perry Point VA for cocaine dependence and severe recurrent depression.

4. Mr. Walker may have violated § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations in that:

a. On his application for employment with Interim Healthcare, Fishersville, Virginia, Mr. Walker stated that he resigned from his position with Augusta Correctional Center, Craigsville, Virginia, when, in fact, Mr. Walker was terminated for poor performance.

b. On his application for employment with Team Nurse, Mr. Walker failed to disclose the actual reason for his termination from Augusta Correctional Center, or to disclose his employment with Nurse Finders and Envoy, Kings Daughters.

FOR THE BOARD


Jay R. Douglas R.N., M.S.M., C.S.A.C.
Executive Director for the
Board of Nursing

ENTERED: April 19th, 2013