

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:           NICOLE RENEE COFER, R.N.**  
**License Number:   0001-218055**  
**Case Number:       176258**

**RATIFICATION AND ORDER**

On September 20, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Nicole Renee Cofer, R.N., was not present nor was she represented by legal counsel.

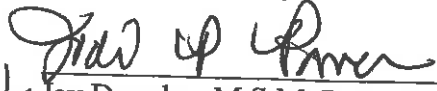
In consideration whereof, the Board of Nursing **ACCEPTS** the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and **ADOPTS** the Recommended Order in its entirety.

Pursuant to Virginia Code § 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Cofer's health records or health services.

Pursuant to Virginia Code § 54.1-2400(10), Ms. Cofer may, not later than 5:00 p.m., on November 29, 2017, 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 BOARD

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

ENTERED AND MAILED ON:

October 27, 2017

This Order shall become final on November 29, 2017, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By   
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Virginia Board Of Nursing

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:       NICOLE RENEE COFER, R.N.**  
**License Number:   0001-218055**  
**Case Number:       176258**

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**REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE**

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**Jurisdiction and Procedural History**

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Allison Gregory, M.S., R.N., F.N.P.-B.C., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on August 3, 2017 in Henrico County, Virginia, to inquire into evidence that Nicole Renee Cofer, R.N., may have violated certain laws and regulations governing the practice of nursing in the Commonwealth of Virginia.

Ms. Cofer appeared at this proceeding and was represented by David Littel, Esquire.

Upon consideration of the evidence, the Agency Subordinate makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

**Notice**

By letter dated June 9, 2017, the Board of Nursing (“Board”) sent a Notice of Informal Conference (“Notice”) to Ms. Cofer notifying her that an informal conference would be held on July 13, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. By counsel, Ms. Cofer requested a continuance, and the conference was continued to August 3, 2017. By UPS overnight delivery on August 1, 2017, the Board sent an Amended Notice of Informal Conference to Ms. Cofer. The Amended Notice was sent to Ms. Cofer’s counsel by e-mail.

**Recommended Findings of Fact and Conclusions of Law**

1. Nicole Renee Cofer, R.N., was issued License Number 0001-218055 to practice professional nursing on April 16, 2009, which is scheduled to expire on May 31, 2018. At all times

relevant to the findings herein, said license was in full force and effect. Her primary state of residence is Virginia. Nicole Renee Cofer, R.N., was also issued License Number 0024-168302 to practice as a nurse practitioner in the area of adult practice on April 28, 2009, which is scheduled to expire on May 31, 2018.

2. By Order entered October 23, 2013, the Committee of the Joint Boards of Nursing and Medicine reprimanded Ms. Cofer and took no further action against her license to practice as a nurse practitioner contingent on her entry into and compliance with any and all contracts with the Health Practitioners' Monitoring Program ("HPMP"). This Order was based on findings that Ms. Cofer had exhibited signs of impairment while on duty at Sentara Princess Anne Neurology Associates.

3. Nicole Renee Cofer, R.N., violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice professional nursing due to mental illness and substance abuse, as evidenced by the following:

a. On September 12, 2016, Ms. Cofer was hospitalized at Eastern State Hospital pursuant to a temporary detention order following attempted suicide by consuming prescribed Adderall (amphetamine and dextroamphetamine, C-II) and cocaine. She was discharged on September 19, 2016, with diagnoses of major depressive disorder, recurrent episode, severe and cocaine use disorder.

b. From January 14, 2014 to September 29, 2016, Ms. Cofer received psychotherapy at The Relationship Center, Norfolk, Virginia, for bipolar disorder.

4. At the informal conference, Ms. Cofer stated that she had been feeling overwhelmed by multiple stressors at the time of her suicide attempt. She denied using cocaine on any other occasion. All of her HPMP toxicology screens have been negative except for known prescribed medications.

5. Ms. Cofer violated Virginia Code § 54.1-3007(5) in that during the course of her employment with Quietly Radiant Psychiatric Services, Virginia Beach, Virginia:

- a. On August 29, 2016, Ms. Cofer failed to report to work to treat her scheduled patients.
  - b. On September 7, 2016, at approximately 4:00 pm, Ms. Cofer was found to be crying with her head on her desk. She refused to leave her office or see her remaining patients and subsequently left without any notification to office staff.
  - c. On September 8, 2016, Ms. Cofer failed to report to work to treat her scheduled patients. Further, she did not return to work after this date.
  - d. Ms. Cofer's employment was terminated on October 3, 2016.
6. On May 17, 2017, Ms. Cofer was dismissed from the HPMP for noncompliance. Specifically, she had returned to work as a nurse practitioner with Hampton Mental Health Associates, and had written prescriptions, without HPMP approval.
  7. Ms. Cofer stated at the informal conference that she was currently seeing a nurse practitioner for medication management and a clinical social worker for therapy. In addition, she has been receiving "mental health skill-building services" in her home up to 15 hours per week since April 2017. She received electroconvulsive therapy (ECT) in 2016 and 2017. She stated that ECT had benefitted her mental health although she has suffered from some "fuzzy" memory issues since the treatments. She did not feel the memory issues impaired her ability to practice. She stated that she was currently taking prescribed Effexor, Abilify, lithium, and Adderall. In a letter dated August 2, 2017 from Kashina Sims, LCSW with Empowerment Counseling Center, Ms. Sims reported that Ms. Cofer was compliant with her treatment plan.
  8. Ms. Cofer expressed a willingness to re-enter the HPMP.
  9. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Cofer's health records or health services.

### Recommended Order

Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Board issue an Order as follows:

1. The license issued to Nicole Renee Cofer, R.N., to practice professional nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
2. The license of Nicole Renee Cofer, R.N., will be recorded as SUSPENDED.
3. Should Nicole Renee Cofer, R.N., seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Cofer to demonstrate that she is safe and competent to return to the practice of nursing. Ms. Cofer shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.
4. The suspension shall be STAYED upon proof of Ms. Cofer's re-entry into a Contract with the Virginia Health Practitioners' Monitoring Program ("HPMP").
5. Upon stay of the suspension, Nicole Renee Cofer, R.N., shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.
6. Nicole Renee Cofer, R.N., shall comply with all laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.
7. Upon receipt of evidence of Ms. Cofer's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Cofer's appearance before the Board and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.
8. Failure to comply with the terms and conditions of the stay of suspension shall result in the immediate rescission of the stay of suspension of the license of Nicole Renee Cofer, R.N., and the

license shall be recorded as suspended. After any rescission of the stay of suspension, Ms. Cofer may, within 33 days of the effective date of the rescission, request a formal administrative hearing before the Board.

Reviewed and approved on August 26, 2017  
By Allison Gregory, M.S., R.N., F.N.P.-B.C.  
Agency Subordinate

Certified True Copy

By *dfraham*  
Virginia Board Of Nursing

**BEFORE THE VIRGINIA COMMITTEE OF THE JOINT BOARDS OF  
NURSING AND MEDICINE**

**IN RE:           NICOLE RENEE COFER, L.N.P.**  
**License Number:   0024-168302**  
**Case Number:       176257**

**RATIFICATION AND ORDER**

On October 11, 2017, a panel of the Committee of the Joint Boards of Nursing and Medicine (“Committee of the Joint Boards”) met to receive and act upon the Recommended Decision of the Agency Subordinate. Nicole Renee Cofer, L.N.P., was not present nor was she represented by legal counsel.

In consideration whereof, the Committee of the Joint Boards ACCEPTS the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and ADOPTS the Recommended Order in its entirety.

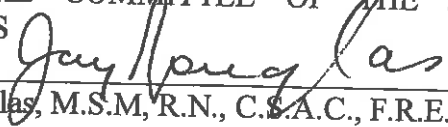
Pursuant to Virginia Code § 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Virginia Code § 54.1-2400.2(K), the Committee of the Joint Boards considered whether to disclose or not disclose Ms. Cofer’s health records or health services.

Pursuant to Virginia Code § 54.1-2400(10), Ms. Cofer may, not later than 5:00 p.m., on November 29, 2017, 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 OF THE JOINT  
BOARDS

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

ENTERED AND MAILED ON:

October 27<sup>th</sup>, 2017

This Order shall become final on November 29, 2017, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By   
\_\_\_\_\_  
Virginia Board Of Nursing

**BEFORE THE VIRGINIA COMMITTEE OF THE JOINT BOARDS  
OF NURSING AND MEDICINE**

**IN RE:        NICOLE RENEE COFER, L.N.P.**  
**License Number:    0024-168302**  
**Case Number:        176257**

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**REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE**

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**Jurisdiction and Procedural History**

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Allison Gregory, M.S., R.N., F.N.P.-B.C., serving as Agency Subordinate of the Virginia Committee of the Joint Boards of Nursing and Medicine ("Committee of the Joint Boards"), held an informal conference on August 3, 2017 in Henrico County, Virginia, to inquire into evidence that Nicole Renee Cofer, L.N.P., may have violated certain laws and regulations governing the practice of nurse practitioners in the Commonwealth of Virginia.

Ms. Cofer appeared at this proceeding and was represented by David Littel, Esquire.

Upon consideration of the evidence, the Agency Subordinate makes the following Findings of Fact and Conclusions of Law and recommends that the Committee of the Joint Boards adopt the following Order.

**Notice**

By letter dated June 9, 2017, the Board of Nursing ("Board") sent a Notice of Informal Conference ("Notice") to Ms. Cofer notifying her that an informal conference would be held on July 13, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. By counsel, Ms. Cofer requested a continuance, and the conference was continued to August 3, 2017. By UPS overnight delivery on August 1, 2017, the Board sent an Amended Notice of Informal Conference to Ms. Cofer. The Amended Notice was sent to Ms. Cofer's counsel by e-mail.

### **Recommended Findings of Fact and Conclusions of Law**

1. Nicole Renee Cofer, L.N.P., was issued License Number 0024-168302 to practice as a nurse practitioner in the area of adult practice on April 28, 2009, which is scheduled to expire on May 31, 2018. At all times relevant to the findings herein, said license was in full force and effect. Ms. Cofer also holds a license to practice professional nursing in the Commonwealth of Virginia.
2. By Order entered October 23, 2013, the Committee of the Joint Boards reprimanded Ms. Cofer and took no further action against her contingent on her entry into and compliance with the Health Practitioners' Monitoring Program ("HPMP"). This Order was based on findings that Ms. Cofer had exhibited signs of impairment while on duty at Sentara Princess Anne Neurology Associates.
3. Nicole Renee Cofer, L.N.P., violated Virginia Code § 54.1-3007(6) and 18 VAC 90-30-220(4) of the Regulations Governing the Licensure of Nurse Practitioners ("Regulations") in that she is unsafe to practice as a nurse practitioner due to mental illness and substance abuse, as evidenced by the following:
  - a. On September 12, 2016, Ms. Cofer was hospitalized at Eastern State Hospital pursuant to a temporary detention order following attempted suicide by consuming prescribed Adderall (amphetamine and dextroamphetamine, C-II) and cocaine. She was discharged on September 19, 2016, with diagnoses of major depressive disorder, recurrent episode, severe and cocaine use disorder.
  - b. From January 14, 2014 to September 29, 2016, Ms. Cofer received psychotherapy at The Relationship Center, Norfolk, Virginia, for bipolar disorder.
4. At the informal conference, Ms. Cofer stated that she had been feeling overwhelmed by multiple stressors at the time of her suicide attempt. She denied using cocaine on any other occasion. All of her HPMP toxicology screens have been negative except for known prescribed medications.

5. Ms. Cofer violated Virginia Code § 54.1-3007(5) and 18 VAC 90-30-220(4) and (5) of the Regulations in that during the course of her employment with Quietly Radiant Psychiatric Services, Virginia Beach, Virginia:

- a. On August 29, 2016, Ms. Cofer failed to report to work to treat her scheduled patients.
- b. On September 7, 2016, at approximately 4:00 pm, Ms. Cofer was found to be crying with her head on her desk. She refused to leave her office or see her remaining patients and subsequently left without any notification to office staff.
- c. On September 8, 2016, Ms. Cofer failed to report to work to treat her scheduled patients. Further, she did not return to work after this date.
- d. Her employment was terminated on October 3, 2016.

6. Ms. Cofer violated Term No. 2 of the Order of the Committee of the Joint Boards of Nursing and Medicine entered October 23, 2013, which took no further action against her contingent on her entry into and compliance with the HPMP, in that on May 17, 2017, she was dismissed from the HPMP for noncompliance. Specifically, she had practiced with Hampton Mental Health Associates, and had written prescriptions, without HPMP approval.

7. Ms. Cofer stated at the informal conference that she was currently seeing a nurse practitioner for medication management and a clinical social worker for therapy. In addition, she has been receiving “mental health skill-building services” in her home up to 15 hours per week since April 2017. She received electroconvulsive therapy (ECT) in 2016 and 2017. She stated that ECT had benefitted her mental health although she has suffered from some “fuzzy” memory issues since the treatments. She did not feel the memory issues impaired her ability to practice. She stated that she was currently taking prescribed Effexor, Abilify, lithium, and Adderall. In a letter dated August 2,

2017 from Kashina Sims, LCSW with Empowerment Counseling Center, Ms. Sims reported that Ms. Cofer was compliant with her treatment plan.

8. Ms. Cofer expressed a willingness to re-enter the HPMP.
9. Pursuant to Virginia Code § 54.1-2400.2(K), the Committee of the Joint Boards considered whether to disclose or not disclose Ms. Cofer's health records or health services.

### **Recommended Order**

Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Committee of the Joint Boards issue an Order as follows:

1. Nicole Renee Cofer, L.N.P. shall be REPRIMANDED.
2. The license issued to Nicole Renee Cofer, L.N.P., to practice as a nurse practitioner in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
3. The license of Nicole Renee Cofer, L.N.P., will be recorded as SUSPENDED.
4. Should Nicole Renee Cofer, L.N.P., seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Cofer to demonstrate that she is safe and competent to return to nurse practitioner practice. Ms. Cofer shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.
5. The suspension shall be STAYED upon proof of Ms. Cofer's re-entry into a Contract with the Virginia Health Practitioners' Monitoring Program ("HPMP").
6. Upon stay of the suspension, Nicole Renee Cofer, L.N.P., shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.
7. Nicole Renee Cofer, L.N.P., shall comply with all laws and regulations governing the practice of nurse practitioners in the Commonwealth of Virginia.

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

9. Failure to comply with the terms and conditions of the stay of suspension shall result in the immediate rescission of the stay of suspension of the license of Nicole Renee Cofer, L.N.P., and the license shall be recorded as suspended. After any rescission of the stay of suspension, Ms. Cofer may, within 33 days of the effective date of the rescission, request a formal administrative hearing before the Committee of the Joint Boards.

Reviewed and approved on August 26, 2017  
By Allison Gregory, M.S., R.N., F.N.P.-B.C.  
Agency Subordinate

Certified True Copy  
By *dgraham*  
Virginia Board Of Nursing