

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: TRICIA R. PERRY, R.N.
License Number: 0001-187594
Case Number: 177773

RATIFICATION AND ORDER

On July 19, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Tricia R. Perry, 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. Perry's health records or health services.

Since Ms. Perry failed to appear at the informal conference, this Order shall be considered final. Ms. Perry has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Perry has thirty days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay Douglas, M.S.M, R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three days are added to that period.

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:

July 28, 2017

Certified True Copy

By 
Virginia Board of Nursing

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: TRICIA R. PERRY, R.N.
License Number: 0001-187594
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REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Jane Elliott, R.N., Ph.D., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on June 15, 2017 in Henrico County, Virginia, to inquire into evidence that Tricia R. Perry, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Ms. Perry did not appear at this proceeding and was not represented by legal counsel.

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 May 19, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Perry notifying her that an informal conference would be held on June 15, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. The Notice sent by certified mail was returned to the Board office unclaimed and was marked “return to sender, no mail receptacle, unable to forward.” The Notice sent by first class mail was not returned to the Board office. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Ms. Perry and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Tricia R. Perry, R.N., was issued License Number 0001-187594 to practice professional nursing on October 2, 2003, which expired on January 31, 2017. At all times relevant to the findings herein, said license was in full force and effect. Her primary state of residence is Virginia.

2. Ms. Perry violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice professional nursing due to mental illness, as evidenced by the following:

a. Between November 30, 2016 and December 6, 2016, she received inpatient psychiatric treatment at Tucker Pavilion, CJW Medical Center, Richmond, Virginia (“Tucker Pavilion”). Her discharge diagnoses included major depressive disorder, recurrent, severe without psychotic features and anxiety disorder.

b. Between January 20, 2016 and January 26, 2016, she received inpatient psychiatric treatment at Tucker Pavilion for recurrent major depression.

c. Between July 31, 2015 and August 6, 2015, she received inpatient psychiatric treatment at Tucker Pavilion. Her discharge diagnoses included major depressive disorder, recurrent with psychotic features and generalized anxiety disorder.

3. Ms. Perry failed to respond to the Department of Health Professions investigator’s contact attempts following the investigation of her most recent admission.

4. Ms. Perry has a history of noncompliance with her medications, which led to increased suicidal ideations, and she has a history of failure to follow through with aftercare from her previous psychiatric admissions.

5. As of April 2016, Ms. Perry was unemployed. Her employment with CJW Medical Center was terminated following her January 2016 psychiatric admission. She resigned from her

previous employment with Envoy of Lawrenceville, Lawrenceville, Virginia, following her July 2015 psychiatric admssion.

6. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Perry'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 right of Tricia R. Perry, R.N., to renew her license to practice professional nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
2. The license of Tricia R. Perry, R.N., will be recorded as SUSPENDED.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. Should Ms. Perry seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Perry to demonstrate that she is safe and competent to return to the practice of professional nursing. Ms. Perry 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.

Reviewed and approved on June 21, 2017
By Jane Elliott, R.N., Ph.D.
Agency Subordinate

Certified True Copy

By 
Virginia Board of Nursing