

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: LISA M. TURNER, R.N.
 License No.: 0001-185247**

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on October 7, 2015, in Henrico County, Virginia. Ms. Turner was present and was not represented by legal counsel. Jodi Power, R.N., J.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On November 18, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Turner was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Lisa M. Turner, R.N. was issued License No. 0001-185247 to practice professional nursing in Virginia on June 10, 2003. The license is scheduled to expire on September 30, 2016. Ms. Turner's primary state of residence is Virginia. At the informal conference, Ms. Turner stated she has moved to Burlington, North Carolina and declared a change in primary state of residence to North Carolina in writing.

2. By letter dated September 9, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Turner notifying her that an informal conference would be held on October 7, 2015. The Notice was sent by certified and first class mail to 31 Hunters Ridge Lane, Rocky Mount,

Virginia, 24151, the address of record on file with the Board of Nursing. By letter dated September 21, 2015, the Board of Nursing sent an Amended Notice of Informal Conference (“Amended Notice”) to Ms. Turner notifying her that an informal conference would be held on October 7, 2015. The Amended Notice was sent by certified and first class mail to, 3551 Forestdale Drive, Apt. GA, Burlington, North Carolina 27215, the address of record on file with the Board of Nursing. The Amended Notice was also sent to 31 Hunters Ridge Lane, Rocky Mount, Virginia, 24151, a secondary address.

3. Ms. Turner voluntarily received inpatient treatment at the Carilion Clinic-Roanoke Rehabilitation, Roanoke, Virginia from December 16 through December 30, 2014 for depression and suicidal ideations. Ms. Turner’s discharge diagnosis was major depressive disorder, recurrent, severe, without psychotic features with suicidal ideations.

4. Ms. Turner voluntarily received inpatient treatment at the Carilion Clinic-Roanoke Rehabilitation from February 18 through February 25, 2015 for depression and suicidal ideations. Ms. Turner’s discharge diagnosis was major depressive disorder, recurrent, without psychotic features.

5. Since January 7, 2015, Ms. Turner has received outpatient treatment at Carilion Psychiatry and Behavioral Medicine, Roanoke, Virginia for major depression, recurrent, severe without psychotic features and panic disorder with agoraphobia.

6. In a letter to an investigator for the Department of Health Professions dated June 15, 2015, Dr. Thomas Milam, Ms. Turner’s treating psychiatrist at Carilion Psychiatry and Behavioral Medicine, wrote that he did not believe that Ms. Turner was able to perform safely as a nurse.

7. On May 26, 2015, Ms. Turner told the investigator that she did not believe she was well enough to return to nursing practice.

8. At the informal conference, Ms. Turner stated that she continues to see her psychiatrist every two months. She last saw Dr. Milam in August and her next scheduled appointment is in

November. Ms. Turner reported that Dr. Milam noted her condition was improving, but he had not yet released her to return to practice. Ms. Turner also reported that she has seen Stephen Price, L.M.F.T, at Total Life Counseling, Roanoke, Virginia for counseling at least once every two weeks since February 2015. She reported that she is in compliance with her prescribed medication including Effexor (venlafaxine), and Buspar, along with Xanax (alprazolam, C-IV), as needed. At the informal conference, Ms. Turner stated that she now feels better and well enough to return to practice.

9. Ms. Turner last worked as a nurse in December 2014 at Carilion Clinic, Roanoke, Virginia as a perioperative specialist. Her employment was terminated in March 2015 after her F.M.L.A. leave had been exhausted. Ms. Turner reported that although she had struggled with mental health issues her entire life, it never interfered with her ability to work. Ms. Turner had no patient care concerns and had worked at Carilion Clinic without incident since she was licensed to practice nursing in 2003.

10. At the informal conference, Ms. Turner stated that she had contacted the Health Practitioners' Monitoring Program ("HPMP") and was in the process of enrolling in the program. She stated that she intended to apply for licensure in North Carolina as required by the Nurse Licensure Compact and to seek entry in the North Carolina equivalent alternative monitoring program.

CONCLUSIONS OF LAW

Findings of Fact Nos. 3 through 7 constitute a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. The Board shall TAKE NO ACTION contingent on the following conditions:
 - a. Within 60 days of the entry of this Order, Lisa M. Turner, R.N. shall provide proof of entry into the Virginia HPMP and/or an equivalent alternative monitoring program in another state pursuant to Chapter 25.1 of Title 54.1 of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations

Governing the HPMP.

b. Thereafter, Ms. Turner shall comply with all conditions and terms of the HPMP for the period of time specified by the HPMP and/or the equivalent alternative or monitoring program.

2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Lisa M. Turner, R.N., and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Turner shall be noticed to appear before the Board at such time as the Board is notified that:

a. Ms. Turner has failed to make application to the HPMP and/or an equivalent alternative or monitoring program;

b. Ms. Turner is not in compliance with the terms and conditions of the HPMP and/or equivalent alternative or monitoring program, or has been terminated from participation in the HPMP and/or the equivalent alternative or monitoring program;

c. There is a pending investigation or unresolved allegation against Ms. Turner involving a violation of law or regulation or any term or condition of this Order; or

d. Ms. Turner has successfully completed the above-referenced period of participation in the HPMP and/or the equivalent alternative or monitoring program. However, upon receipt of Ms. Turner's participation in and compliance with the HPMP and/or the equivalent alternative or monitoring program, the Board, at its discretion, may waive Ms. Turner's appearance before the Board and conduct an administrative review of this matter.

3. This Order is applicable to Ms. Turner's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Turner shall 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 Ms. Turner wishes

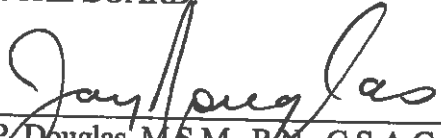
to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

4. Ms. Turner shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

Pursuant to § 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 a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Turner may, not later than 5:00 p.m., on January 17, 2016, 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 he/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:


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

ENTERED: December 15TH, 2015

This Order shall become final on January 17, 2016, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 
Virginia Board of Nursing