

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: MICHELLE BASHAM, R.N.
License Number: 0001-184263
Case Number: 170565, 170744, 172237

RATIFICATION AND ORDER

On January 25, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Michelle Basham, R.N., was not present nor was she represented by legal counsel but submitted written comments.

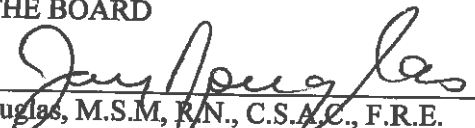
In consideration whereof, the Board of Nursing ACCEPTS the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and ADOPTS the Recommended Order in its entirety.

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. Basham's health records or health services.

Since Ms. Basham failed to appear at the informal conference, this Order shall be considered final. Ms. Basham 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. Basham 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 P. 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


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

Certified True Copy

By 
Virginia Board of Nursing

ENTERED AND MAILED ON:

February 1, 2017

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: MICHELLE BASHAM, R.N.
License Number: 0001-184263
Case Number: 170565, 170744, 172237

REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Judith Piersall, R.N., B.S.N., serving as Agency Subordinate of the Virginia Board of Nursing ("Board"), held an informal conference on December 1, 2016 in Henricò County, Virginia, to inquire into evidence that Michelle Basham, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Ms. Basham 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 July 8, 2016, the Board sent a Notice of Informal Conference ("Notice") to Ms. Basham notifying her that an informal conference would be held on August 2, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. On August 25, 2016, the Board sent a letter granting a continuance of the informal conference to December 1, 2016, to Ms. Basham via certified mail to the address of record on file with the Board. The receipt for the continuance letter was signed by a third party and returned to the Board office on August 29, 2016. On November 30, 2016, Ms. Basham telephoned the Board office and stated that she would not be

attending the informal conference. Accordingly, the Agency Subordinate concluded that adequate notice was provided to Ms. Basham and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Michelle Basham, R.N., was issued License Number 0001-184263 to practice Registered Nurse on March 6, 2003, which is scheduled to expire on October 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.
2. Michelle Basham, R.N. 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. From February 5 to February 12, 2016, Ms. Basham was admitted under a temporary detention order to Poplar Springs Hospital for inpatient psychiatric treatment after making suicidal statements and initiating a suicide attempt. Her discharge diagnosis was major depression, recurrent, severe with psychotic features. According to Ms. Basham's psychiatrist with the Rockbridge Area Community Services Board, as of April 2016, Ms. Basham remained depressed, was suffering from post-traumatic stress disorder, and was unable to work.
 - b. From November 13 to November 19, 2015, Ms. Basham was admitted under a temporary detention order to Southern Virginia Regional Medical Center for inpatient psychiatric treatment following suicidal behavior. Her discharge diagnosis was major depression, recurrent.
 - c. From October 27 to October 30, 2015, Ms. Basham was admitted under a temporary detention order to VCU Health System, MCV Hospitals & Physicians for inpatient psychiatric treatment for suicidal ideations. Her discharge diagnosis was major depressive disorder, recurrent, severe, without psychotic features and chronic post-traumatic stress disorder.

d. In December 2014, Ms. Basham attempted suicide and was hospitalized following the attempt.

3. A psychiatrist who treated Ms. Basham stated in an interview with an investigator for the Department of Health Professions on April 29, 2016, that he had examined Ms. Basham that day and that she remained depressed and unable to work as a professional nurse at that time.

4. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Basham'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 of Michelle Basham, R.N., to practice professional nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
2. The license of Michelle Basham, R.N., will be recorded as SUSPENDED.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. Should Michelle Basham, 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. Basham to demonstrate that she is safe and competent to return to the practice of professional nursing. Ms. Basham 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 January 8, 2017
By Judith Piersall, R.N., B.S.N.
Agency Subordinate

Certified True Copy

By 
Virginia Board of Nursing