

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE: EMILY F. MARSHMAN, R.N.  
A.K.A. EMILY FOWLER  
License Number: 0001-194744  
Case Number: 174235**

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**CONSENT ORDER**

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**JURISDICTION AND PROCEDURAL HISTORY**

The Virginia Board of Nursing ("Board") and Emily F. Marshman, R.N., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Ms. Marshman's license to practice professional nursing in the Commonwealth of Virginia.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. Emily F. Marshman, R.N. was issued License Number 0001-194744 to practice professional nursing on February 22, 2005, which is scheduled to expire on December 31, 2017. Her primary state of residence is Virginia.
2. By Order of the Board entered August 12, 2011 ("Board's Order"), the Board took no action against the license of Ms. Marshman to practice professional nursing contingent upon her compliance with the terms and conditions of Health Practitioners' Monitoring Program ("HPMP"). The basis for the Board's Order was Ms. Marshman's diversion of narcotics and her noncompliance with her October 30, 2009 Participation Contract with the HPMP.
3. Ms. Marshman violated Virginia Code § 54.1-3007(6) and Term Number 1(a) of the Board's Order entered August 12, 2011, which required her to comply with the terms and conditions of the HPMP, in that she was dismissed from the HPMP on June 10, 2016 due to noncompliance.

Specifically, she continued to use amphetamines, failed to comply with toxicology screening, and failed to provide required documentation of her May 17, 2016 hospitalization.

4. Ms. Marshman, through her counsel, expressed a willingness to re-enter the HPMP

### CONSENT

Emily F. Marshman, R.N., by affixing her signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document and am represented by Michael Goodman, Esq.;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;
4. I waive my right to an informal conference;
5. I admit to the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my licensure to practice professional nursing in the Commonwealth of Virginia.

### ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

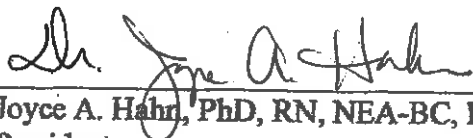
1. Emily F. Marshman, R.N., is REPRIMANDED.

2. The license issued to Emily F. Marshman, R.N., to practice professional nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
3. The license will be recorded as suspended.
4. This suspension applies to any multistate privilege to practice professional nursing.
5. Should Emily F. Marshman, 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. Marshman to demonstrate that she is safe and competent to return to the practice of professional nursing. Ms. Marshman 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.
6. The suspension shall be STAYED upon proof of Ms. Marshman's re-entry into a Contract with the Virginia Health Practitioners' Monitoring Program ("HPMP"). Thereafter, Ms. Marshman shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.
7. Upon receipt of evidence of Ms. Marshman's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Marshman's appearance before the Board and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.
8. This Order is applicable to Ms. Marshman's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Marshman 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 she seeks to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

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

Pursuant to Virginia Code §§ 2.2-4023 and 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.

FOR THE BOARD

  
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Joyce A. Hahr, PhD, RN, NEA-BC, FNAP  
President  
Virginia Board of Nursing

ENTERED: 1/24/19

SEEN AND AGREED TO:

  
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Emily F. Marshman, R.N.



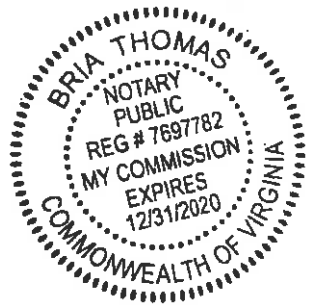
COMMONWEALTH OF VIRGINIA  
COUNTY/CITY OF chesterfield, TO WIT:

Subscribed and sworn to me, a notary public in and for the Commonwealth of Virginia at large, on this  
6 day of december, 2016

B. M.  
Notary Public

My commission expires: 12/31/2020

Registration No.: 769782



Certified True Copy  
By: J. M. [Signature]  
Virginia Board of Nursing