

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: SHARESA MARIE HAYMAN, R.N.
License Number: 0001-240908
Case Number: 172299

RATIFICATION AND ORDER

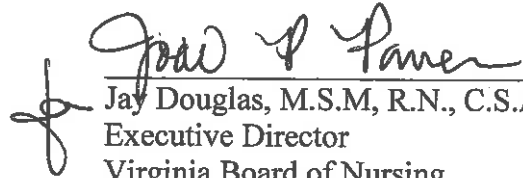
On September 21, 2016, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Sharesa Marie Hayman, R.N. was not present nor was she represented by legal counsel.

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

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



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 5, 2016

Certified True Copy

By 

Virginia Board of Nursing

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IN RE: SHARESA MARIE HAYMAN, R.N.
License Number: 0001-240908
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AMENDED 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 July 7, 2016 in Henrico County, Virginia, to inquire into evidence that Sharesa Marie Hayman, R.N. may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Ms. Hayman 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 June 14, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Hayman notifying her that an informal conference would be held on July 7, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing. According to the USPS website, as of the date of the informal conference, the Notice sent by certified mail remained at the post office unclaimed. 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. Hayman and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Sharesa Marie Hayman, R.N. was issued License Number 0001-240908 to practice professional nursing on October 1, 2012, which expired on July 31, 2016. At all times relevant to the allegations herein, said licenses was in full force and effect. Her primary state of residence is Virginia.
2. Ms. Hayman violated Virginia Code § 54.1-3007(2), (5) and (6) and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing (“Regulations”) in that during the course of her employment with Mary Washington Hospital, Fredericksburg, Virginia, by her own admission, on January 4, 2016, Ms. Hayman diverted fentanyl (C-II) and Versed (midazolam, C-IV) for her personal and unauthorized use and replaced the medication with water before returning the vials to the nurse manager.
3. Ms. Hayman was hired at Mary Washington Hospital on December 14, 2015 and her employment was terminated on January 15, 2016.
4. Ms. Hayman violated Virginia Code § 54.1-3007(6) in that she is unable to safely practice professional nursing due to her admitted abuse of opioids and benzodiazepines, which she admitted to abusing for two years.
5. On March 21, 2016, Ms. Hayman entered the Health Practitioners’ Monitoring Program (“HPMP”). She was placed on warning status for missing calls to the drug screen test line on May 25 and 26, and June 9, 2016. In a report dated July 7, 2016, the HPMP stated that Ms. Hayman had returned to compliance.

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 Sharesa Marie Hayman to renew her license to practice professional nursing is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. The suspension is STAYED and shall remain stayed contingent upon Sharesa Marie Hayman's continued compliance with all terms and conditions of the HPMP for the period specified by the HPMP.
5. Sharesa Marie Hayman shall comply with all laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.
6. Upon receipt of evidence of Sharesa Marie Hayman's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Sharesa Marie Hayman's appearance before the Board and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.
7. This Order is applicable to Sharesa Marie Hayman's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Sharesa Marie Hayman 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.

8. Failure to comply with the terms and conditions of the stay of suspension shall be reason for summarily rescinding the stay of suspension of the license of Sharesa Marie Hayman, and the license shall be recorded as suspended. After any rescission of the stay of suspension, a formal administrative proceeding shall be instituted.

Reviewed and approved on July 26, 2016

By Jane Elliott, R.N., Ph.D.

Agency Subordinate

Certified True Copy

By *J. Fowler*

Virginia Board of Nursing