

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: TERESA ANNE THOMAS, R.N. REINSTATEMENT APPLICANT
License Number: 0001-137655
Case Number: 181026

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on September 20, 2017, in Henrico County, Virginia, to receive and act upon Teresa A. Thomas’ application for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia.

Teresa Anne Thomas did not appear at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated August 23, 2017, the Board sent a Notice of Formal Hearing (“Notice”) to Ms. Thomas notifying her that a formal administrative hearing would be held on September 20, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. Neither the certified mail, the certified mail receipt nor the Notice sent by first class mail were returned to the Board office. Accordingly, the panel Chair concluded that adequate notice was provided to Ms. Thomas and the formal hearing proceeded in her absence.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT

1. On May 26, 1994, the Board issued License Number 0001-137655 to Teresa Anne Thomas to practice professional nursing in the Commonwealth of Virginia. Said license was suspended

by Order of the Department of Health Professions on August 23, 2016. Her primary state of residence is Virginia.

2. Ms. Thomas submitted an application for reinstatement of her license to practice professional nursing on May 30, 2017. As the applicant, Ms. Thomas had the burden to demonstrate to the Board that she is safe and competent to practice professional nursing and she did not appear.

3. On June 7, 2016, the Texas Board of Nursing entered an Order accepting the surrender of Ms. Thomas' license to practice professional nursing in the State of Texas in lieu of disciplinary action. Said action formed the basis of the mandatory suspension of her license to practice professional nursing in Virginia.

4. From February 20 through 26, 2016, Ms. Thomas was hospitalized at VCU Medical Center, Richmond, Virginia, with diagnoses including major depressive disorder, recurrent, severe, without psychotic features, and alcohol dependence. During her admission, Ms. Thomas reported drinking three liters of wine or one fifth of bourbon a day. Further, a family member reported that Ms. Thomas has had substance abuse issues for many years.

5. On March 6, 2016, Ms. Thomas began receiving mental health treatment at The Daily Planet, Richmond, Virginia, with diagnoses including major depressive disorder, recurrent, moderate and alcohol abuse.

6. On July 24, 2017, during an interview with an investigator from the Department of Health Professions, Ms. Thomas reported that she continues to drink alcohol and has not entered substance abuse treatment.

7. During the course of her employment with Valley Health System, Winchester, Virginia, she was repeatedly counseled for being rude, making inappropriate remarks and using profanity in the

presence of patients. Further, prior to her termination on April 8, 2011, she was counseled for failing to follow the verbal orders of a physician.

8. On the employment application with TruStaff, a travel nurse agency, Ms. Thomas indicated that she was employed by Valley Health System from June 1990 – April 2012, and that her reason for leaving Valley Health System was “other opportunity,” when, in fact, her employment was terminated on April 8, 2011, for job standards not being met.

9. On the application for reinstatement dated May 24, 2017, Ms. Thomas falsely answered “no” to the question pertaining to criminal convictions; however, by her own admission, in approximately 1996, she was convicted of a misdemeanor bad check charge in Frederick County, Virginia.

CONCLUSIONS OF LAW

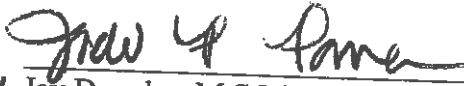
1. Finding of Fact No. 3 constitutes a violation of Virginia Code § 54.1-3007(7).
2. Findings of Fact Nos. 4 - 6 constitutes a violation of Virginia Code § 54.1-3007(6).
3. Finding of Fact No. 7 constitutes a violation of Virginia Code § 54.1-3007(5).
4. Finding of Fact No. 8 constitutes a violation of Virginia Code § 54.1-3007(2) and 18 VAC 90-20-300(A)(2)(e) of the Regulations Governing the Practice of Nursing (“Regulations”) (currently found at 18 VAC 90-19-230(A)(2)(e) effective February 24, 2017).
5. Finding of Fact No. 9 constitutes a violation of Virginia Code § 54.1-3007(1) and 18 VAC 90-19-230(A)(1)(b) of the Regulations.
6. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Thomas’s health records or health services.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, ORDERS that the application of Teresa Anne Thomas for reinstatement of the license to practice professional nursing in the Commonwealth of Virginia is DENIED, due to a failure to obtain the affirmative vote for reinstatement of three-fourths of the members of the Board at the proceeding. Further, it is ORDERED that the license be CONTINUED on INDEFINITE SUSPENSION. Should she petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether Ms. Thomas is able to return to the safe and competent practice of professional nursing. Ms. Thomas 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.

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


for 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 4, 2017

Certified True Copy

By 
Virginia Board Of Nursing

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in 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, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.