

**BEFORE THE VIRGINIA COMMITTEE OF THE JOINT BOARDS
OF NURSING AND MEDICINE**

IN RE: ASHLEY BETH MERRYMAN, L.N.P.
License Number: 0024-171488
0017-141456
Case Number: 162369, 163986

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Committee of the Joint Boards of Nursing and Medicine (“Committee of the Joint Boards”) and Ashley Beth Merryman, L.N.P., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Ms. Merryman’s license to practice as a nurse practitioner and authorization to prescribe in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Ashley Beth Merryman, L.N.P. was issued License Number 0024-171488 to practice as a nurse practitioner on February 4, 2014, which is scheduled to expire on February 28, 2017. Ms. Merryman was also issued Authorization to Prescribe Number 0017-141456 on February 7, 2014, which is scheduled to expire on February 28, 2017. Ms. Merryman was also issued License Number 0001-208651 to practice professional nursing on August 2, 2007, which expired on October 6, 2008. was reinstated on March 4, 2015, and is now set to expire on February 28, 2017.

2. After being issued a license to practice professional nursing in Virginia, Ms. Merryman relocated and declared her primary state of residence to be South Carolina. Accordingly, pursuant to the Nurse Licensure Compact, her Virginia license expired. She was issued a license to practice as a registered nurse in South Carolina on November 17, 2008. Said license expired on April 30, 2014.

3. Ms. Merryman violated Virginia Code §§ 54.1-3007(3) and 54.1-3008(A)(2) and 18 VAC 90-30-160 of the Regulations Governing the Licensure of Nurse Practitioners in that between May 1, 2014, and March 4, 2015, after relocating to Virginia, she practiced as a nurse practitioner at Berryville Medical Associates, Berryville, Virginia, without a valid Virginia professional nursing license or a multistate privilege to practice professional nursing.

4. Ms. Merryman violated Virginia Code §§ 54.1-3007(2), 54.1-3303(A), and 54.1-3408(A), 18 VAC 90-30-220(4) and (6) of the Regulations Governing the Licensure of Nurse Practitioners, 18 VAC 90-40-130(A)(1) of the Regulations for Prescriptive Authority for Nurse Practitioners, and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing in that, as found in a Consent Agreement of the South Carolina Board of Nursing dated June 11, 2015, she self-prescribed Ambien in 2012 and fraudulently obtained barbiturates and phentermine in 2013 and 2014 while employed as an Advanced Practice Nurse in South Carolina.

5. Pursuant to the Consent Agreement with the South Carolina Board of Nursing, Ms. Merryman was reprimanded and ordered to pay a monetary penalty of \$1,500 within one year and to complete courses in legal aspects and ethics within six months.

CONSENT

Ashley Beth Merryman, L.N.P., 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;
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; the right to representation by counsel; and the right to cross-examine witnesses against me;

4. I waive all right to an informal conference;

5. I admit to the Findings of Fact and Conclusion 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 Committee of the Joint Boards is a party;

6. I consent to the entry of the following Order affecting my right to practice as a nurse practitioner and my authorization to prescribe in the Commonwealth of Virginia.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Committee of the Joint Boards of Nursing and Medicine hereby ORDERS as follows:

1. Ashley Beth Merryman is REPRIMANDED.

2. Ashley Beth Merryman is assessed a MONETARY PENALTY of \$1,000.00. This penalty shall be paid to the Board of Nursing by certified check or money order made payable to the Treasurer of Virginia within 90 days from the date of entry of this Order. Failure to pay the full monetary penalty by the due date may cause the matter to be sent for collection and constitutes grounds for an administrative proceeding and further discipline.

3. Ashley Beth Merryman shall comply with all laws and regulations governing the practice of nurse practitioners in the Commonwealth of Virginia.

4. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of nurse practitioners shall constitute grounds for further disciplinary action.

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 COMMITTEE OF THE JOINT
BOARDS:

for Kevin Mitchell-Lindley
Jay Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

ENTERED: August 17, 2016

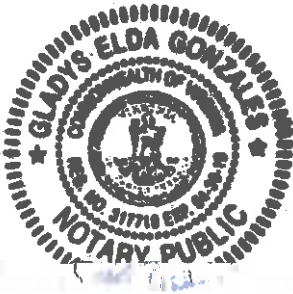
SEEN AND AGREED TO:

Ashley Beth Merryman L.N.P.
Ashley Beth Merryman, L.N.P.

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

Subscribed and sworn to me, a notary public in and for the Commonwealth of Virginia at large, on this 8th day of August, 2016.

[Signature]
Notary Public



My commission expires:

April 30, 2019

Registration No.:

317710