

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: SHERYL MOSER TRAIL, R.N.
License Number: 0001-122595
Case Number: 169346

RATIFICATION AND ORDER

On July 20, 2016, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. SHERYL MOSER TRAIL, R.N. was not present nor was she represented by legal counsel.

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(K), the Board considered whether to disclose or not disclose Ms. Trail's health records or health services.

Pursuant to Virginia Code § 54.1-2400(10), Ms. Trail may, not later than 5:00 p.m., on September 5, 2016, notify 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, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

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:

August 3RD, 2016

This Order shall become final on September 5, 2016, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 
Virginia Board of Nursing

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: SHERYL MOSER TRAIL, R.N.
License Number: 0001-122595
Case Number: 169346

REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Allison Gregory, M.S., R.N., F.N.P.-B.C., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on May 26, 2016 in Henrico County, Virginia, to inquire into evidence that SHERYL MOSER TRAIL, R.N. may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Ms. Trail appeared 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 May 3, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Trail notifying her that an informal conference would be held on May 26, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing.

Recommended Findings of Fact and Conclusions of Law

1. SHERYL MOSER TRAIL, R.N. was issued License Number 0001-122595 to practice practical nursing on March 18, 1991, which is scheduled to expire on September 30, 2017. At all

times relevant to the allegations herein, said license was in full force and effect. Her primary state of residence is Virginia.

2. Ms. Trail violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice as a professional nurse due to chemical dependency and mental and physical illness, as evidenced by the following:

a. On August 11, 2005, Ms. Trail was admitted to John Randolph Medical Center, Hopewell, Virginia, following a suicide attempt. On August 9, 2006, she was re-admitted to John Randolph and was diagnosed with major depressive disorder, recurrent, severe without psychotic features.

b. On August 6, 2008, Ms. Trail was admitted to CJW Medical Center Chippenham Medical Center ("Chippenham"), Richmond, Virginia, for suicidal ideations. Ms. Trail was diagnosed with major depression, recurrent.

c. On May 14, 2014, Ms. Trail began treatment with a pain and spine specialist who prescribes her opioids, spinal injections and radiofrequency ablation for pain management. On November 18, 2015, in an interview with the investigator for the Department of Health Professions, the specialist opined that Ms. Trail is not safe to practice.

d. On August 17, 2015, Ms. Trail was admitted to Chippenham, and then was transferred to Tucker Pavilion on August 20, 2015, following an unintentional overdose. Ms. Trail was diagnosed with recurrent major depression and opiate and benzodiazepine dependence.

e. On November 18, 2015, Ms. Trail's therapist, who has treated her since October 2008, stated to the investigator that he would not suggest that Ms. Trail return to practice at that time.

3. Ms. Trail stated at the informal conference that the incident on August 17, 2015, was the result of being over-medicated.

4. Ms. Trail stated that she currently sees a pain management physician once a month who prescribes all of her pain medications. She sees a psychiatrist once a month for medication management, and receives counseling from a therapist once a week.

5. Ms. Trail stated that pain limits her ability to practice nursing. She stated that she has no plans to return to practice and considers herself retired.

6. Ms. Trail stated that she would like to voluntarily surrender her license to practice professional nursing.

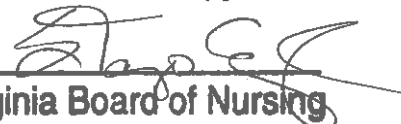
Recommended Order

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 Board accepts the VOLUNTARY SURRENDER for INDEFINITE SUSPENSION of Sheryl Moser Trail's license to practice professional nursing in the Commonwealth of Virginia.
2. The license of SHERYL MOSER TRAIL will be recorded as SUSPENDED.
3. This suspension applies to any multistate privilege to practice professional nursing.
4. Should SHERYL MOSER TRAIL seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on SHERYL MOSER TRAIL to demonstrate that she is safe and competent to return to the practice of professional nursing. SHERYL MOSER TRAIL 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 June 28, 2016
By Allison Gregory, M.S., R.N., F.N.P.-B.C.
Agency Subordinate

Certified True Copy

By 
Virginia Board of Nursing