

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: YVONNDA P. SISK, R.N.
License No.: 0001-085825**

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on September 10, 2012, in Henrico County, Virginia, to inquire into evidence that Yvonnda P. Sisk, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia. The case was presented by David W. Kazzie, Adjudication Specialist, Administrative Proceedings Division. Howard M. Casway, Senior Assistant Attorney General, was present as legal counsel for the Board. Ms. Sisk was present and was represented by Barbara Queen, Esquire. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Yvonnda P. Sisk, R.N., was issued License No. 0001-085825 to practice as a professional nurse in the Commonwealth on September 15, 1982, and it is set to expire on May 31, 2014. Ms. Sisk's primary state of residence is Virginia.
2. During the course of her employment with Henrico Doctors Hospital, Richmond Virginia:
 - a. On September 1, 2011, Ms. Sisk failed to take afternoon glucose readings for Patient A, a diabetic, as ordered by the physician, and she failed to administer insulin to the patient after mid-day glucose readings indicated high levels of glucose.
 - b. On September 1, 2011, Ms. Sisk failed to change the infusion rate for Patient B's intravenous fluid as ordered by the patient's physician.

c. On or about July 8, 2010, Ms. Sisk left her patient alone, who had dementia and was a high fall risk, and whose physician had ordered a sitter for the night. Ms. Sisk testified that her reason for leaving the patient alone was her need to attend to a personal health problem and while she tried to get assistance for the patient, she nevertheless took responsibility for her action.

3. During the course of her employment with Henrico Doctors Hospital, Richmond Virginia:

a. On August 24, 2011, Ms. Sisk administered a chemotherapy drug, which she was not certified to administer, to Patient C. Ms. Sisk testified that despite not knowing what the medication was for nevertheless administered the medication in response to demands to do so by an irate physician.

b. On August 25, 2011, Ms. Sisk directed a practical nurse to co-sign for an administration of a chemotherapy drug to Patient B, which neither were certified to administer. Ms. Sisk testified that despite not knowing what the medication was for, she nevertheless administered the medication.

4. After her return to work in July 2011 following a medical leave of absence to treat a brain tumor, Ms. Sisk displayed erratic behavior while on duty. Further, during a September 20, 2011, meeting to discuss her work performance, Ms. Sisk interacted inappropriately with hospital administrators including inappropriate responses to nursing skill questions posed to her.

5. Following the September 20, 2011 meeting, Ms. Sisk was required to complete a basic knowledge competency evaluation which was administered in an October 2011 competency evaluation at Henrico Doctors Hospital, given in light of growing concern about her ability to practice nursing safely and competently. Ms. Sisk did not achieve a passing score on nine of eleven areas tested.

6. Ms. Sisk stated to an investigator for the Department of Health Professions that she attends Alcoholics Anonymous meetings once a week although she stated she no longer considers her alcohol use a problem. Ms. Sisk testified that she currently takes an anti-anxiety medication.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing ("Regulations").
2. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(a) of the Regulations.
3. Findings of Fact Nos. 4 and 5 constitute a violation of § 54.1-3007(5) of the Code.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. Yvonnda Sisk, R.N., is hereby placed on INDEFINITE PROBATION for not less than one year of actual nursing employment subject to the following terms and conditions:
 - a. The period of probation shall begin on the date that this Order is entered and shall continue indefinitely. After one year of active employment as a professional nurse, Ms. Sisk may request that the Board end this probation.
 - b. Ms. Sisk shall inform the Board in writing within ten days of the date she begins nursing practice or changes employment, or if any interruption in nursing practice occurs. Additionally, Ms. Sisk shall provide the name and address of each employer to the Board.
 - c. Ms. Sisk shall inform her current nursing employer and each future nursing employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order. If Ms. Sisk is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.
 - d. Performance evaluations shall be provided, at the direction of Ms. Sisk, by all nursing employers, as provided by the Compliance Division. The first report must be received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends.

e. Ms. Sisk shall practice nursing only in a structured/supervised employment setting satisfactory to the Board for one year after being placed on probation. This employment setting shall provide on-site supervision by a physician or professional nurse, who works the same shift and holds an unrestricted license. For all current employment, and before beginning or changing nursing employment during this period, Ms. Sisk shall have current and all prospective provide a written description of the employment setting to the Board office for approval.

f. Ms. Sisk shall submit quarterly "Self-Reports" which include a current address, telephone number, and verification of all current employment. These reports shall also include any changes in employment status. The first report must be received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September, and December until the period of probation ends.

g. Ms. Sisk shall return all copies of her license to practice as a practical nurse to the Board office within ten days of the date of entry of this Order along with a payment of a fee of \$15.00. Upon receipt, the Board shall issue a new license marked "Valid in Virginia Only; Probation with Terms."

h. Ms. Sisk shall conduct herself as a professional nurse in compliance with the requirements of Title 54.1, Chapter 30 of the Code and the Board of Nursing Regulations.

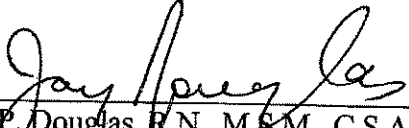
i. Any violation of the terms and conditions contained in this Order, or failure to comply with all terms of this Order within five years of the date of entry of the Order, shall be reason for suspending or revoking the license of Ms. Sisk and an administrative proceeding shall be held to decide whether her license shall be suspended or revoked.

2. This Order shall be applicable to Ms. Sisk's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Sisk 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

wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying on request.

FOR THE BOARD




Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director
Virginia Board of Nursing

September 25th, 2012
ENTERED

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 P. Douglas, R.N., M.S.M., C.S.A.C., 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.

Certified True Copy
By 

Virginia Board of Nursing