



# COMMONWEALTH of VIRGINIA

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January 12, 2006

Yvonnda P. Sisk, R.N.  
1701 Florence Avenue  
Chester, Virginia 23831

**CERTIFIED MAIL**  
71603901984887245840

**RE: License No.: 0001-085825 (Exp. 5/31/06)**

Dear Ms. Sisk:

This is official notification that an Informal Conference will be held, pursuant to § 2.2-4019, § 2.2-4021 and § 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), on **February 14, 2006, at 1:00 p.m.**, in the offices of the Department of Health Professions, 6603 West Broad Street, Fifth Floor, Richmond, Virginia. You may be represented by an attorney at the Informal Conference.

The Special Conference Committee ("Committee"), which is comprised of two or three members of the Virginia Board of Nursing ("Board"), will inquire into allegations that you may have violated certain laws and regulations governing the practice of nursing in Virginia, and will review your compliance with the terms and conditions imposed on your license to practice professional nursing in Virginia, as set forth in an Order of the Board entered on September 30, 2003. Specifically:

1. By Order of the Board entered September 30, 2003, the Board took no action against your license contingent upon your compliance with certain terms and conditions, to include your compliance with a Recovery Monitoring Contract with the Health Practitioners' Intervention Program ("HPIP"), pursuant to Chapter 25.1 of Title 54.1 of the Code of Virginia (1950) as amended ("Code"), and 18 VAC 76-10-10, *et seq.*, of the Regulations Governing the HPIP. You may have violated the terms of this Order. Specifically, the HPIP Committee met and heard a report, dated April 1, 2005, that you were not in compliance with the terms of your contract with HPIP. Based on multiple instances of non-compliance, including your continued use of alcohol, as evidenced by your submission of positive ethyl glucuronide screens on November 5, 2004, and February 28, 2005, and your subsequent refusal to enter into a residential treatment program, the committee voted to dismiss you from the program on April 15, 2005.

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2. The Committee will also inquire into allegations that you may have violated § 54.1-3007(2) of the Code, and 18 VAC 90-20-300(A)(2)(e) of the Regulations of the Board of Nursing, in that, by your own admission, during the course of your employment at Virginia Commonwealth University ("VCU") Health System, Richmond, Virginia, you were allowed to resign in lieu of termination, effective May 27, 2004, after it was discovered that, in November 2002, when making application for employment there, you failed to list Southside Regional Medical Center, Petersburg, Virginia, and Chippenham Johnston Willis Hospital, Richmond, Virginia, as previous places of employment.

3. Additionally, the Committee will re-examine the allegations made in the notice of informal conference dated July 31, 2003. Specifically:

a. You may be in violation of § 54.1-3007(6) of the Code, in that, you reported to the Department of Health Professions investigator that you began using alcohol in 2001 while employed at St. Mary's Hospital, Richmond, Virginia. As a result, on or about October 19, 2001, you signed a Participation Contract with HPIP, pursuant to Chapter 25.1 of Title 54.1 of the Code, and 18 VAC 76-10-10, et seq., of the Regulations Governing the Health Practitioners' Intervention Program. On or about March 1, 2002, you signed a Recovery Monitoring Contract. By your own admission, your impairment continued in spite of your entry into HPIP. Specifically:

i. After signing your participation contract, you received inpatient treatment at Poplar Springs Hospital, Petersburg, Virginia, and additional substance abuse treatment at Willow Oaks, Cartersville, Virginia.

ii. On or about March 1, 2002, after signing a recovery monitoring contract, you were allowed to return to work in the capacity as a professional nurse. Subsequently, on or about March 24, 2002, your employment with St. Mary's Hospital, Richmond, Virginia, was terminated, as you were directed by HPIP that you could not practice until attending an outpatient program due to your relapsing on alcohol.

iii. In approximately September 2002, HPIP approved your employment at Chippenham Johnston Willis Hospital, Richmond, Virginia. On or about October 28, 2002, after being terminated from Chippenham Johnston Willis Hospital, you submitted a letter of resignation to HPIP. Your request was considered, and on or about December 13, 2002, your resignation was accepted and you were released from HPIP. You stated that you requested release from HPIP because you needed to continue employment as a professional nurse and HPIP refused to allow you to be employed.

b. During the course of your employment at St. Mary's Hospital, Richmond, Virginia:

i. You may have violated § 54.1-3007(2), (5), and (8) of the Code, and 18 VAC 90-20-300(2)(f) of the Board of Nursing Regulations. Specifically:

A. On June 18, 2001, you were verbally counseled for failing to document on May 21, 2001, that a cardizem drip had been started, and also for failing to notify a physician on June 3, 2001, regarding a patient's blood loss.

B. On May 15, 2001, you were counseled for reporting to the oncoming morning nurse on April 17, 2001, that a patient's condition had not changed overnight, when, in fact, the

patient had become hypertensive and unresponsive during the night. The patient was discovered in this condition by a physician making morning rounds.

C. On December 21, 2000, you were counseled for being unable to identify a patient's rhythm when asked by a physician to do so on December 4, 2000, at 9:00 a.m. The patient was having difficulty breathing, and it was discovered you had not taken his/her blood pressure since 5:00 a.m.

D. On September 2, 1999, you were counseled for not documenting an epidural, for clamping an I.V. that did not run and subsequently infiltrated, and for leaving I.V. bags empty.

- ii. You may have violated § 54.1-3007(6) of the Code, in that on or about September 12, 1999, a service delivery report in your personnel file noted that your coworkers were concerned because they believed you smelled of alcohol on or about January 11, 1999.
  - iii. On or about May 15, 2002, your employment was terminated for failing to return from "FMLA."
- c. You may have violated § 54-1-3007(6) of the Code, in that during the course of your employment with Chippenham Johnston Willis Medical Center, Richmond, Virginia, on or about October 11, 2002, you reported for duty and were noted to have an odor associated with alcohol. You were asked to submit to a blood alcohol test and refused. Later in the shift, you admitted to a coworker that you drank "a half glass of wine" with lunch before reporting for duty. Your employment was terminated after it was discovered that you were under contract with the Health Practitioners' Intervention Program and you failed to follow the recommendation that you not return to work until seeking additional treatment.
- d. During the course of your employment with the Medical College of Virginia, Richmond, Virginia:
- i. You may have violated § 54.1-3007(2) of the Code, and 18 VAC 90-20-300(A)(2)(c) of the Board of Nursing Regulations, in that you falsified your application for employment, dated October 28, 2002. Specifically, you failed to list your employment with St. Mary's Hospital and Southside Regional Medical Center.
  - ii. You may have violated § 54.1-3007(6) of the Code, in that, you signed a substance abuse recovery work agreement in order to remain employed, whereby the employer monitored you as an employee.

After the conference, the conference committee is authorized to take the following actions:

1. If the committee finds that there is insufficient evidence to warrant further action or that the charges are without foundation, the committee shall notify you by mail that your record has been cleared of any charge which might affect your right to practice nursing in the Commonwealth;
2. The committee may place you on probation with such terms as it may deem appropriate;
3. The committee may reprimand you;
4. The committee may modify a previous Order;

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5. The committee may impose a monetary penalty pursuant to § 54.1-2401 of the Code; or
6. The committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing. If the Conference Committee is of the opinion that a suspension or revocation of your license may be justified, the committee may offer you a consent order in lieu of a formal hearing.

If you fail to appear at the informal conference, the Conference Committee will proceed to hear the case in your absence, and may take any of the actions outlined above.

**At least ten (10) days prior to the scheduled date of the conference; please inform this office of your telephone number and whether you intend to appear at the conference. This can be done by calling our offices at (804) 662-9075 or by sending us a letter at the address listed above.**

You have the right to information that the Board will rely upon in making a decision. Therefore, I have enclosed a copy of the documents that will be distributed to the members of the Committee. The Committee, when discussing the allegations with you and deliberating upon your case, will consider these documents. These documents are enclosed only with the original notice sent by certified mail, and must be claimed at the post office. Please bring these documents with you.

**If you have any additional documents to be presented to the Conference Committee, please bring five (5) copies of each document with you.**

Also, enclosed are copies of the relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws and regulations relating to the practice of nursing in Virginia that are cited in this notice.

Sincerely,



Susan Bell Rosen, R.N., M.S., F.N.P., J.D.  
Deputy Executive Director, Discipline

Enclosures

cc: Robert A. Nebiker, Director, Department of Health Professions  
James L. Banning, Director Administrative Proceedings Division  
Anne G. Joseph, Deputy Director, Administrative Proceedings Division  
Committee members  
Rachel E. Welch, Adjudication Specialist  
Peggy Call, Intervention Program Manager  
Ann L. Tiller, Compliance Manager  
Martha W. Miller, L.P.N., Senior Investigator (102762/97516)  
W. Edward Riley, Esquire