



# COMMONWEALTH of VIRGINIA

Robert A. Nebiker  
Director

*Department of Health Professions*  
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Richmond, Virginia 23230-1712

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Virginia Board of Nursing  
Jay P. Douglas, RN, MSM, CSAC  
Executive Director

July 31, 2003

Board of Nursing (804) 662-9909  
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Yvonnda P. Sisk, R.N.  
1701 Florence Avenue  
Chester, Virginia 23831

CERTIFIED MAIL  
7160 3901 9844 2315 5213

RE: License No. 0001-085825, Expires May 31, 2004

Dear Ms. Sisk:

This is official notification that an Informal Conference will be held, pursuant to § 2.2-4019, § 2.2-4021, § 54.1-2400(10) and § 54.1-3010 of the Code of Virginia (1950), as amended (the Code), on **August 26, 2003, at 9:00 a.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, which is comprised of two or three members of the Virginia Board of Nursing, will inquire into allegations that you may have violated certain laws and regulations governing the practice of Nursing in Virginia. Specifically:

- 1. You may be in violation of § 54.1-3007(6) of the Code, in that on or about October 19, 2001, you signed a Participation Contract with the Health Practitioners' Intervention Program (the "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. The following information pertains to your HPIP contract:
  - a. 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.
  - b. 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 the HPIP that you could not practice until attending an outpatient program due to your relapsing on alcohol.
  - c. In approximately September 2002, the 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 the HPIP. Your request was considered, and on or about December 13, 2002, your resignation was accepted and you were released from the HPIP. You stated that you requested release from the HPIP because you needed to continue

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employment as a professional nurse and the HPIP refused to allow you to be employed.

2. During the course of your employment at St. Mary's Hospital, Richmond, Virginia:
  - a. You may be in violation of § 54.1-3007(2), (5) and (8) of the Code, and 18 VAC 90-20-300(2)(e) and (f) of the Board of Nursing Regulations, in that, on or about September 2, 1999, September 12, 1999, September 13, 1999, October 27, 1999, November 4, 1999, December 21, 2000, April 17, 2001, May 17, 2001, May 21, 2001, and June 7, 2001, you were counseled for poor job performance and nursing practice.
  - b. You may be in violation of § 54.1-3007(5) and (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.
  - c. You may be in violation of § 54.1-3007(5) and (6) of the Code, in that on or about May 15, 2002, your employment was terminated for failing to return from "FMLA."
3. You may be in violation of § 54.1-3007(6), in that during the course of your employment at St. Mary's Hospital, on or about January 11, 1999, a note by your nursing supervisor was placed in your personnel file which indicated that members of staff noted the odor of alcohol on you.
4. You may be in violation of § 54.1-3007(2) and (5) of the Code, and 18 VAC 90-20-300(A)(2)(e) of the Board of Nursing Regulations, in that during the course of your employment with St. Mary's Hospital, on or about May 5, 1999, August 26, 1999, October 11, 2000, and March 15, 2001, you were counseled, in writing, regarding your absences and tardiness.
5. You may be in violation of § 54.1-3007(5) of the Code, on or about May 30, 2002, you were hired to provide nursing duties at Southside Regional Medical Center, Petersburg, Virginia; however, your employment was terminated during orientation.
6. You may be in violation of § 54.1-3007(5) and (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 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.
7. During the course of your employment with the Medical College of Virginia, Richmond, Virginia:
  - a. You may be in violation of § 54.1-3007(2) and (5) 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. Specifically, you failed to list your employment with St. Mary's Hospital and Southside Regional Medical Center.
  - b. You may be in violation of § 54.1-3007(5) and (6) of the Code, in that you are currently employed at the Medical College of Virginia, and have signed a substance abuse recovery work agreement in order to remain employed, whereby the employer is monitoring you as an employee.
8. You may be in violation of § 54.1-3007(6) of the Code, in that you stated the following to the investigator from the Department of Health Professions:

- a. You began using alcohol in 2001 while employed at St. Mary's Hospital, Richmond, Virginia, and when the drinking became out of control you self-reported to the hospital's Employee Assistance Program. You stated that the Employee Assistance Program referred you to the HPIP.
- b. In November 2001, you received inpatient treatment at Poplar Springs Hospital, Petersburg, Virginia, and Willow Oaks, Cartersville, Virginia.
- c. You began therapy at the Medical College of Virginia Family Counseling Center. You did not provide a date for this therapy.
- d. You received treatment from District 19 Community Services Board in Petersburg, Virginia, and completed their educational program in January 2003. The Community Services Board stated on January 23, 2003, that you are continuing in group on Tuesdays..
- e. You attend three (3) to four (4) Alcoholics Anonymous (AA) meetings a week.
- f. You attend once a week a Rebos meeting.
- g. You attend once a week, a meeting at the Community Service Board.

The Special Conference Committee is authorized, after meeting with you, to take one of 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 your license on probation with such terms as it may deem appropriate;
3. The Committee may reprimand you;
4. The Committee may impose a monetary penalty pursuant to § 54.1-2401 of the Code; or
5. 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) 662-9950 or by sending us a letter at the address listed above.

You have the right to information which will be relied upon by the Board in making a decision. Therefore, I have enclosed a copy of the documents which will be distributed to the members of the Committee and will be considered by the Committee when discussing the allegations with you and when deliberating upon your case. 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

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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,

A handwritten signature in cursive script that reads "Susan Bell Rosen".

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

SBR/gem/klb  
Enclosures

cc: James L. Banning, Director for Administrative Proceedings  
Martha W. Miller, Investigator (Case No. 88238)  
Donna Whitney, L.P.N., C.S.A.C, Intervention Program Committee Coordinator  
Committee members  
Gayle E. Miller, Senior Legal Assistant