

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: MANEIKA D. SHIFFLETT, R.N., L.N.P.,  
License No.: 0001-137754**

**ORDER**

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on December 17, 2015, in Henrico County, Virginia. Ms. Shifflett was present and was represented by Margaret Hardy, Esquire. Allison Gregory, M.S., R.N., F.N.P.-B.C., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On March 23, 2016, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Shifflett was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

**FINDINGS OF FACT**

1. Maneika D. Shifflett, R.N., L.N.P. was issued License No. 0001-137754 to practice professional nursing in Virginia on June 6, 1994. Said license is scheduled to expire on February 29, 2018. She also holds License No. 0024-171646 to practice as a nurse practitioner in the area of psychiatric and mental health practice and License No. 0017-141576 for prescriptive authority, both scheduled to expire on February 28, 2018. Ms. Shifflett's primary state of residence is West Virginia.
2. By letter dated November 17, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Shifflett notifying her that an informal conference would be held on December 17, 2015. The Notice was sent by certified and first class mail to 18 Gander Lane,

Gerrardstown, West Virginia 25420, the address of record on file at the time with the Board of Nursing. Ms. Shifflett's counsel notified the Board that Ms. Shifflett had changed her address, and a Notice was also sent by U.P.S. overnight delivery to 466 True Apple Way, Inwood, West Virginia 25428, her current address of record.

3. During the course of her employment as a psychiatric nurse practitioner with Blue Ridge Counseling Center, Winchester, Virginia:

a. Between August and October 2014, Ms. Shifflett prescribed oxycodone (C-II) and Xanax (alprazolam, C-IV) to Individual A, a personal friend who had been dismissed as a patient of the practice, and with whom Ms. Shifflett did not have a bona fide practitioner/patient relationship, outside the knowledge and medical direction and supervision of her collaborating physician.

b. Notwithstanding the fact that Ms. Shifflett did not have a bona fide practitioner/patient relationship with Individual A, Ms. Shifflett prescribed oxycodone for Patient A's complaint of pain despite her history of severe mental illness and polysubstance abuse.

4. As a result of these incidents, Ms. Shifflett was allowed to resign from her employment with Blue Ridge Counseling Center in lieu of termination on October 9, 2014. This was Ms. Shifflett's first nurse practitioner position, and she had worked at Blue Ridge Counseling Center for approximately six months.

5. On October 10, 2014, Ms. Shifflett's collaborating physician told an investigator with the Department of Health Professions that Ms. Shifflett was very professional with no prior complaints and that she admitted that she had made a mistake.

6. At the informal conference, Ms. Shifflett admitted to the allegations. She was remorseful and stated that she had learned a valuable lesson in maintaining professional boundaries.

7. Ms. Shifflett has worked at Winchester Community Health Center, Winchester, Virginia

since October 2014 and has had no practice issues during her employment at this facility. Ms. Shifflett had previously completed her clinical rotation as a student at Winchester Community Health Center. They are aware of this matter before the Board. Winchester Community Health Center required Ms. Shifflett to complete continuing education courses before she began employment, including a 15-contact-hour course on ethical decision making, a two-contact-hour course on Focus on Substance Abuse Prevention, and a three-contact-hour course on Scheduled II controlled substances, which she successfully completed. Ms. Shifflett's supervisors also implemented several safeguards to monitor Ms. Shifflett's practice and submitted letters of support to the Board on her behalf.

### CONCLUSIONS OF LAW

1. Finding of Fact No. 3(a) constitutes a violation of § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A) (2)(a) of the Regulations Governing the Practice of Nursing.
2. Finding of Fact No. 3(b) constitutes a violation of § 54.1-3007(5) of the Code.

### ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Maneika D. Shifflett, R.N., L.N.P. is hereby REPRIMANDED.
2. Ms. Shifflett shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

Pursuant to § 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 a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Shifflett may, not later than 5:00 p.m., on May 31, 2016, notify Jay P. Douglas, MSM, RN, CSAC, FRE, 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:

*for Gloria Mitchell-Lively*  
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Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director  
Virginia Board of Nursing

ENTERED: *April 27, 2016*  
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This Order shall become final on May 31, 2016 unless a request for a formal administrative hearing is received as described above.

Certified True Copy  
By *d.raham*  
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Virginia Board Of Nursing