

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: YUAN COOPER, R.N.
License No.: 0001-248167**

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 September 23, 2015, in Henrico County, Virginia. Yuan Cooper, R.N., was present and was not represented by legal counsel. 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 January 27, 2016, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Cooper 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.

1. Yuan Cooper, R.N., was issued License No. 0001-248167 to practice professional nursing in Virginia on October 24, 2013. The license is scheduled to expire on October 31, 2017. Ms. Cooper's primary state of residence is Virginia.

2. By letter dated September 2, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Cooper notifying her that an informal conference would be held on September 23, 2015. The Notice was sent by certified and first class mail to P. O. Box 66184, Virginia Beach, Virginia 23466, the address of record on file with the Board of Nursing. The Notice was also sent to 418 North Chesire Court, Virginia Beach, Virginia 23454, a secondary address.

3. On March 13, 2014, Ms. Cooper admitted herself to Virginia Beach Psychiatric Center, for suicidal ideations with a plan.

4. On January 10, 2015, Ms. Cooper was admitted by Temporary Detention Order (“TDO”) to Virginia Beach Psychiatric Center, and diagnosed with bipolar disorder type 1.

5. On January 27, 2015, Ms. Cooper was admitted to Sentara Norfolk General Hospital, by TDO. She was diagnosed with bipolar disorder, manic with psychosis.

6. Ms. Cooper has suffered with depression for approximately ten years.

7. On December 6, 2014, during the course of her employment with Sentara Healthcare, Norfolk, Virginia, Ms. Cooper cursed at her unit coordinator while at the nurse’s station in the vicinity of patient rooms. Further, Ms. Cooper continued to contact facility staff after being told not to contact the hospital or to come onto the grounds.

8. On December 15, 2014, Ms. Cooper’s employment with Sentara Healthcare was terminated. Ms. Cooper stated that in hindsight, she was probably in the middle of a manic episode when she cursed at her co-worker. She stated that this was not her personality, and that she is not a confrontational person.

9. On her application for licensure to practice professional nursing in Virginia, dated October 13, 2013, Ms. Cooper answered “NO” to the question “Do you have a mental, physical or chemical dependency condition which could interfere with your current ability to practice nursing?” when, in fact, she has suffered from depression for approximately ten years.

10. Ms. Cooper stated at the informal conference that she misinterpreted the question. She felt that her depression did not impact her ability to work. She stated that she completed the application for licensure prior to her bipolar diagnosis.

11. Ms. Cooper stated that she did not work after her termination from Sentara Healthcare

through March 2015. She stated that she was still mildly manic. She stated that she worked from April 2015, until May 2015, at CJW Chippenham Medical Center, Richmond, Virginia, through a travel nurse agency. Ms. Cooper stated that the position was too stressful, and that she has not taken another contract.

12. Ms. Cooper stated that she sees a psychiatrist every one to two months, and is compliant with her medication regimen. She last saw her psychiatrist during the first week of September. She stated that she will start counseling when her insurance benefits start on October 1, 2015.

13. Ms. Cooper stated that she has completed the intake process with the Health Practitioner's Monitoring Program ("HPMP"). She has not entered into any contracts with the HPMP.

14. Ms. Cooper stated that she is willing to do everything she can to keep her disorder from interfering with her nursing practice. She stated that she does not have a history of substance abuse and only drinks alcohol socially, one to two drinks a week. Ms. Cooper stated that she did not have any prior psychiatric hospitalizations until her move to Virginia.

15. Ms. Cooper stated that she worked 11 years with the Berkshire Health Systems in Massachusetts prior to her relocation to Virginia. Her termination from Sentara Healthcare was her only employment termination.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 3 through 6 constitute a violation of § 54.1-3007(6) of the Code.
2. Finding of Fact No. 7 constitutes a violation of § 54.1-3007(5) of the Code.
3. Finding of Fact No. 9 constitutes a violation of § 54.1-3007(1) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing.
4. Based on the above Findings of Fact, the Committee concludes that Ms. Cooper is a candidate for the HPMP.

ORDER

WHEREFORE, it is hereby ORDERED the Board shall TAKE NO ACTION contingent on the following conditions:

1. Within 60 days of entry of this order, Yuan Cooper, R.N., shall provide proof of entry into the HPMP 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 HPMP. Therefore, Ms. Cooper shall comply with the following terms and conditions:

a. Ms. Cooper shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.

b. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Cooper, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Cooper shall be noticed to appear before the Board at such time as the Board is notified that:

i. Ms. Cooper has failed to make application to the HPMP;

ii. Ms. Cooper is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;

iii. There is a pending investigation or unresolved allegation against Ms. Cooper involving a violation of law or regulation or any term or condition of this Order; or

iv. Ms. Cooper has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Cooper's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Cooper's appearance before the Board and conduct an administrative review of this matter.


2. This Order is applicable to Ms. Cooper’s multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Cooper 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 Ms. Cooper wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

3. Ms. Cooper 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.

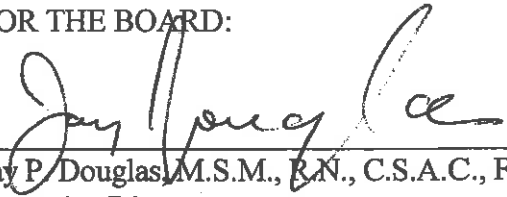
Pursuant to § 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Cooper may, not later than 5:00 p.m., on March 15, 2016, notify Jay P. 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 he/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.

Certified True Copy

By 
Virginia Board of Nursing

FOR THE BOARD:


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

ENTERED: February 11, 2016TM

This Order shall become final on March 15, 2016, unless a request for a formal administrative

hearing is received as described above.