

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: SHELIA BALL MATHENA JOYCE, R.N.
License Number: 0001-177409
Case Number: 176204

RATIFICATION AND ORDER

On May 17, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Shelia Ball Mathena Joyce, R.N., was not present nor was she represented by legal counsel.


The Board of Nursing ACCEPTS the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and ADOPTS the Recommended Order in its entirety.

Pursuant to Virginia Code § 54.1-2400.2, 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 Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Joyce's health records or health services.

Since Ms. Joyce failed to appear at the informal conference, this Order shall be considered final. Ms. Joyce has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Joyce has thirty days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay Douglas, M.S.M, R.N., C.S.A.C., F.R.E. , Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three days are added to that period.

FOR THE BOARD


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

Certified True Copy

By 
Virginia Board Of Nursing

ENTERED AND MAILED ON:

May 30, 2017

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: SHELIA BALL MATHENA JOYCE, R.N.
License Number: 0001-177409
Case Number: 176204

REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Judith E. Piersall, R.N., B.S.N., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on March 7, 2017 in Henrico County, Virginia, to inquire into evidence that Shelia Ball Mathena Joyce, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Ms. Joyce did not appear at this proceeding and was not represented by legal counsel.

Upon consideration of the evidence, the Agency Subordinate makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

Notice

By letter dated February 8, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Joyce notifying her that an informal conference would be held on March 7, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. According to the USPS tracking website, the Notice sent by certified mail was returned to the Board office after the maximum hold time had passed and the package had gone unclaimed. The Notice sent by first class mail was not returned to the Board office. Ms. Joyce contacted the Board office on March 6, 2017 asking about the informal conference, but she did not request a continuance. Accordingly, the Agency

Subordinate concluded that adequate notice was provided to Ms. Joyce and the informal conference proceeded in her absence.

Recommended Findings of Fact and Conclusions of Law

1. Shelia Ball Mathena Joyce, R.N., was issued License Number 0001-177409 to practice professional nursing on February 26, 2002, which is scheduled to expire on August 31, 2018. At all times relevant to the findings herein, said license was in full force and effect. Her primary state of residence is Virginia.
2. By Order of the Director of the Department of Health Professions entered June 27, 2007, Ms. Joyce's license was mandatorily suspended based on her conviction of one count of felony forgery, one count of felony uttering, and one count of obtaining money or other property by false pretenses on January 18, 2007 in Buchanan County Circuit Court, Grundy, Virginia.
3. By Order entered December 10, 2015, the Board reinstated Ms. Joyce's license contingent upon her entry into and compliance with the Health Practitioners' Monitoring Program based on findings of a history of mental illness.
4. Ms. Joyce violated Term No. 1 of the Order of the Board entered December 10, 2015, which required her to enter into and comply with the terms of the Health Practitioners' Monitoring Program ("HPMP"), and Virginia Code § 54.1-3007(6) in that on September 16, 2016 Ms. Joyce was dismissed from the HPMP due to her continued use of alcohol and cocaine, failure to comply with the toxicology screening program, and failure to enter and complete treatment as recommended.
5. Ms. Joyce violated Virginia Code § 54.1-3007(6) in that she is unable to safely practice professional nursing due to mental illness, substance abuse, and/or chemical dependency, as evidenced by the following:

a. On April 13, 2016, Ms. Joyce submitted a urine specimen that was positive for alcohol, which she later admitted to ingesting.

b. On August 8, 2016, Ms. Joyce submitted a urine drug screen that was positive for cocaine metabolites, which she later admitted to ingesting.

c. Between July and September 2016, Ms. Joyce received treatment at Chessen Behavioral Health, Newport News, Virginia, for diagnoses including bipolar II disorder and ADHD, by history.

d. On November 16, 2016, Ms. Joyce's counselor from Chessen Behavioral Health told the investigator for the Department of Health Professions ("DHP") that she did not think that Ms. Joyce was stable enough to care for patients and that Ms. Joyce would not be safe to practice nursing.

e. On December 13, 2016, Ms. Joyce's physician from Chessen Behavioral Health told the DHP investigator that she would not be comfortable with Ms. Joyce practicing as a nurse.

6. Ms. Joyce failed to respond to the investigator's contact attempts.

7. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Joyce's health records or health services.

Recommended Order

Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Board issue an Order as follows:

1. Shelia Ball Mathena Joyce, R.N., is REPRIMANDED.

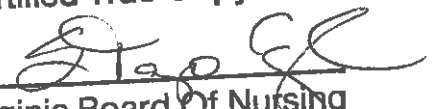
2. The license issued to Ms. Joyce to practice professional nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED for a period of not less than one year from the date of entry of this Order.

3. The license of Ms. Joyce will be recorded as SUSPENDED.

4. This suspension applies to any multistate privilege to practice professional nursing.
5. Should Ms. Joyce seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Joyce to demonstrate that she is safe and competent to return to the practice of professional nursing. Ms. Joyce shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.

Reviewed and approved on March 31, 2017
By Judith E. Piersall, R.N., B.S.N.
Agency Subordinate

Certified True Copy

By 
Virginia Board Of Nursing