

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       SHELIA JOYCE, R.N. REINSTATEMENT APPLICANT**  
**License No.: 0001-177409**

**ORDER**

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on November 18, 2015, in Henrico County, Virginia, to receive and act upon Shelia Joyce's application for reinstatement of her license to practice professional nursing in Virginia and to inquire into evidence that Ms. Joyce may have violated certain laws and regulations governing nursing practice in Virginia. The case was presented by Cynthia E. Gaines, Adjudication Specialist, Administrative Proceedings. James Rutkowski, Assistant Attorney General, was present as legal counsel for the Board. Ms. Joyce was present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. Shelia Joyce, R.N., was issued License No. 0001-177409 to practice professional nursing in the Commonwealth of Virginia on February 26, 2002. Ms. Joyce's license to practice professional nursing was mandatorily suspended pursuant to § 54.1-2409 of the Code by Order of the Department of Health Professions entered on June 27, 2007.
2. Ms. Joyce submitted an application for reinstatement of her license to practice professional nursing which was received by the Board on August 17, 2015. Ms. Joyce declared her primary state of residence as Virginia.

3. On July 27, 2006, Ms. Joyce was convicted of issuing a bad check, a misdemeanor, in the Tazewell, Virginia, General District Court.
4. On January 26, 2007, Ms. Joyce was convicted of petit larceny in the Tazewell, Virginia, General District Court.
5. On January 18, 2007, Ms. Joyce was convicted of forgery, uttering and obtaining money by false pretenses, all felonies, in the Circuit Court of Buchanan County, Virginia.
6. On December 18, 2007, Ms. Joyce was convicted of attempted robbery and larceny, third offense, felonies, in the Circuit Court of Tazewell County, Virginia.
7. Ms. Joyce has been diagnosed with bipolar I disorder. Ms. Joyce's treating psychiatrist expressed concerns that Ms. Joyce's bipolar diagnosis might impact her work as a nurse.
8. On her application for reinstatement of her license to practice professional nursing received by the Board on August 17, 2015, Ms. Joyce 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, Ms. Joyce has been diagnosed with bipolar I disorder, as evidenced above.
9. Ms. Joyce testified that she has set up a payment plan with each court to pay restitution, and she is current with her payments.
10. Ms. Joyce stated that she sees her counselor and psychiatrist once every three months. Ms. Joyce testified that she goes to a community group and a counseling group for support. She testified that she takes her medications as prescribed. Her psychiatrist stated to a Department of Health Professions' investigator that if Ms. Joyce returns to work, she should be closely supervised, and ensure that she is compliant with her medication management.

### CONCLUSIONS OF LAW

The Board concludes that:

1. Findings of Fact Nos. 3 through 6 constitute a violation of § 54.1-3007(4) of the Code.

2. Finding of Fact No. 7 constitutes a violation of § 54.1-3007(6) of the Code.
3. Finding of Fact No. 8 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.

**ORDER**

WHEREFORE, the Virginia Board of Nursing, by affirmative vote of at least three-fourths of the members of the Board at the hearing, effective upon entry of this Order, hereby ORDERS that License No. 0001-177409 of Shelia Joyce to practice professional nursing in the Commonwealth of Virginia, be and hereby is REINSTATED contingent upon the following:

1. Ms. Joyce shall enter into the Health Practitioners' Monitoring Program ("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. Thereafter, Ms. Joyce shall remain compliant with the HPMP for the period specified by the HPMP, and remaining compliant with the following terms and conditions:
  2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Joyce, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Joyce shall be noticed to appear before the Board at such time as the Board is notified that:
    - a. Ms. Joyce is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
    - b. There is a pending investigation or unresolved allegation against Ms. Joyce involving a violation of law or regulation or any term or condition of this Order; or
    - c. Ms. Joyce has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of evidence of Ms. Joyce's participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Joyce's appearance before the Board and conduct an administrative review of this matter.
  3. Ms. Joyce shall enroll in and successfully complete a Board-approved refresher course and shall

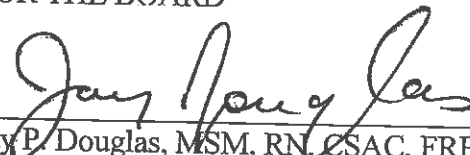
not practice professional nursing until she has provided written evidence to the Board of satisfactory completion of said course and has received permission from the Board to do so. This course shall not be credited toward the continued competency requirements for the next renewal of her license.

4. This Order shall be applicable to Ms. Joyce's multistate licensure privileges, if any, to practice professional nursing. It is further ordered that for the duration of this Order, Ms. Joyce may 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 she wishes to work.

5. Ms. Joyce 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 §§ 2.2-4023 and 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 public record and shall be made available for public inspection or copying on request.

FOR THE BOARD



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

December 10<sup>th</sup>, 2015  
ENTERED

**Certified True Copy**

By Abraham  
Virginia Board Of Nursing

**NOTICE OF RIGHT TO APPEAL**

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.