

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:               SHERRI K. WIGGINS, C.N.A. REINSTATEMENT APPLICANT**

**ORDER**

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on August 3, 2010, in Henrico County, Virginia, to receive and act upon Sherri K. Wiggins’ application for reinstatement of her certificate to practice as a nurse aide in Virginia, and to inquire into evidence that Ms. Wiggins may have violated certain laws governing nurse aide practice in Virginia. Ms. Wiggins was present and was not represented by counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. Sherri K. Wiggins, C.N.A., was issued Certificate No. 1401-030522 to practice as a nurse aide in the Commonwealth of Virginia on November 16, 1991. Said certificate expired on November 30, 1995.
2. Ms. Wiggins submitted an application for reinstatement of her certificate to practice as a nurse aide which was received by the Board on April 2, 2010.
3. On November 25, 1997, Ms. Wiggins was convicted of three felony counts of possession of cocaine in the Circuit Court for the City of Hampton, Virginia (“Hampton Circuit Court”). On June 10, 1998, Ms. Wiggins was convicted of felony possession cocaine, in the Hampton Circuit Court. On July 7, 2006, Ms. Wiggins was convicted of felony possession of controlled substances in the Hampton Circuit Court.
4. Ms. Wiggins reports that her date of sobriety is August 9, 2007.

5. Ms. Wiggins stated that she attends four or five Narcotics Anonymous (“NA”) meetings a week. She has a sponsor and is working on Step 4. Ms. Wiggins stated that she is a mentor with her NA group.

6. On July 21, 2010, Ms. Wiggins entered into a Participation Contract with the Health Practitioners’ Monitoring Program (“HPMP”).

7. Ms. Wiggins provided a letter from the Inmate Programs Coordinator, the Office of the Sherriff, Hampton, Virginia, stating that Ms. Wiggins is an excellent volunteer and works well with the female population in the city jail.

### **CONCLUSIONS OF LAW**

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(6) of the Code.
2. Based on the above Findings of Fact, the Committee concludes that Ms. Wiggins is properly enrolled in the HPMP.
3. The Board concludes that Ms. Wiggins otherwise meets the requirements of § 54.1-3023 of the Code.

### **ORDER**

WHEREFORE, it is hereby ORDERED:

1. The application of Sherri K. Wiggins for reinstatement of her certification to practice as a nurse aide is APPROVED. Upon successful completion of the NNAAP examination, Ms. Wiggins shall be issued a certificate to practice as a nurse aide in the Commonwealth.
2. Ms. Wiggins shall continue to comply with all terms and conditions of the Recovery Monitoring Contract (“Contract”) with the HPMP for the period specified in the Contract.
3. Any violation of the terms and conditions stated in this Order shall be reason for revoking the certificate of Ms. Wiggins, and an administrative proceeding shall be held to decide whether her certificate

should be revoked. Ms. Wiggins shall be noticed to appear before the Board at such time as the Board is notified that:

a. Ms. Wiggins 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. Wiggins involving a violation of law or regulation or any term or condition of [probation or] this Order; or

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

4. Ms. Wiggins shall maintain a course of conduct in her capacity as a nurse aide 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 COMMITTEE

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

ENTERED: August 18<sup>th</sup>, 2010

**NOTICE OF RIGHT TO FORMAL HEARING**

If you do not consent to the Committee's decision and desire a hearing before the Board or a panel thereof, you shall notify, in writing, the Executive Director of the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, within 33 days of the date of entry of this Order. This Order shall become final upon expiration of the 33-day period unless a request for a formal hearing is received within such time. Upon receiving a timely request for a hearing, this Order shall be vacated and the Board or a panel thereof shall proceed with a hearing as provided in § 2.2-4020 *et seq.* of the Code.