

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: SHERYL LENORIS MASON

ORDER

Pursuant to § 9-6.14:12, § 54.1-110 and § 54.1-2400(11) of the Code of Virginia (1950), as amended (the "Code"), a formal administrative hearing was held before a panel of the Board of Nursing (the "Board") on November 13, 2000, in Henrico County, Virginia, to receive and act upon evidence regarding the petition of Ms. Mason for reinstatement of her license to practice practical nursing in the Commonwealth of Virginia. The case was presented by Ann L. Tiller, Senior Legal Assistant, Administrative Proceedings Division. Howard M. Casway, Assistant Attorney General, was present as legal counsel for the Board. Ms. Mason was present and was not represented by 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. Ms. Mason previously held License No. 0002-048568 to practice practical nursing, issued by the Virginia Board of Nursing, which is noted as expired on November 30, 1997. Ms. Mason also previously held Certificate No. 1401-004064 to practice as a certified nurse aide, which expired on April 30, 1995. By Order entered February 11, 1998, Ms. Mason's license to practice practical nursing was indefinitely suspended for not less than two (2) years, based on her engaging in sexual intercourse with an inmate while employed as a nurse at Greensville Correctional Center, Jarratt, Virginia.
2. Ms. Mason testified at the formal hearing that she has received treatment for depression

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by two (2) different providers but terminated both prior to completing therapy.

3. Ms. Mason testified that she discontinued her relationship with the inmate/patient sometime after Labor Day 2000, after being denied reinstatement by a Special Conference Committee.
4. Ms. Mason testified that she has an ambulatory care appointment on November 14, 2000, with the VCU/MCV A. D. Williams Memorial Clinic, Richmond, Virginia, for an evaluation for possible bi-polar disorder.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that Sheryl Lenoris Mason has met the requirements of § 54.1-3009 of the Code and that she is competent to return to the practice of nursing with reasonable skill and safety to her patients subject to certain restrictions, as more fully set forth below.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS that the license of Sheryl Lenoris Mason to practice practical nursing in the Commonwealth of Virginia, License No. 0002-048568, be and hereby is, REINSTATED, and further ORDERS that Sheryl Lenoris Mason be placed on PROBATION, subject to the following terms and conditions:

1. The period of probation shall begin on the date that this Order is entered and shall continue INDEFINITELY.
2. Prior to returning to the practice of nursing, Ms. Mason shall meet with a Special Conference Committee to consider her compliance with, and reports resulting from, the following:

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- a. Ms. Mason shall have an evaluation by a mental health specialist satisfactory to the Board. Ms. Mason shall have a written report of the evaluation, including a diagnosis, recommended course of therapy, prognosis, and any recommendations sent to the Board. If mental health treatment is recommended, Ms. Mason shall enter into the Health Practitioners' Intervention Program ("HPIP"), pursuant to Chapter 25.1 of Title 54.1 of the Code of Virginia (1950), as amended, and 18 VAC 76-10-10, et seq., of the Regulations Governing the Health Practitioners' Intervention Program and shall have proof of entry into the HPIP provided to the Board. After entry into HPIP, Ms. Mason shall comply with all terms and conditions for the period specified in the Contract.
  - b. Ms. Mason shall complete no fewer than six (6) sessions with a Board-approved counselor to address issues of professional boundary violations, and a written progress report by the counselor shall be sent to the Board at completion. Ms. Mason shall direct the therapist to notify the Board if she withdraws from the counseling sessions before completed.
  - c. Ms. Mason shall view a video by the National Council of State Boards of Nursing on professional boundary violations which is maintained by the Board of Nursing in its offices, and shall submit a written verification of the viewing to the Board.
3. Ms. Mason shall submit quarterly "Self-Reports" which include a current address, telephone number, and all current employment. This report shall also include any changes in employment status. Ms. Mason shall inform the Board in writing within ten (10) days of the date she begins nursing practice, or changes employment, or any interruption in nursing occurs, and shall provide the name and address of the employer.
  4. The Board shall issue Ms. Mason a license marked "PROBATION WITH TERMS" upon

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receipt of the appropriate fee.

5. Any violation of the terms and conditions stated in this Order, or any of the terms and conditions of HPIP, if required, shall be reason for revoking the license of Sheryl Lenoris Mason, and an administrative proceeding shall be held to decide whether Ms. Mason's license shall be revoked. Ms. Mason shall be noticed to appear at an administrative procedure at such time as the Board is notified that she:
  - a. Has violated any terms and conditions of the Order, or
  - b. Has failed to enter into the HPIP by the above date, if required, or
  - c. Is not in compliance with the terms and conditions specified by the HPIP, or has been terminated from participation in HPIP, if required, or
  - d. Has successfully completed the above-referenced period of participation in the HPIP, if required. Upon receipt of evidence of Ms. Mason's participation in and compliance with the HPIP, the Special Conference Committee, at its discretion, may waive her appearance before the Committee, relating to the HPIP contract only, and conduct an administrative review of this matter.
6. Sheryl Lenoris Mason, as a licensed practical nurse, shall conduct herself in compliance with the requirements of Title 54.1, Chapter 30 of the Code of Virginia (1950), as amended, and the Board of Nursing Regulations.

Pursuant to § 9-6.14:14 of the Code of Virginia (1950), as amended, 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.

As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Mason has thirty (30) days from the service date in which to appeal this decision by filing a Notice of Appeal with

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Nancy K. Durrett, R.N., M.S.N., Executive Director, Board of Nursing, 6606 W. Broad Street, Fourth Floor, Richmond, Virginia 23230-1717. The service date shall be defined as the date Ms. Mason actually received this decision or the date it was mailed to her, whichever occurred first. In the event this decision is served upon her by mail, three (3) days are added to that period.

FOR THE BOARD


*to Jay Douglas*  
Nancy K. Durrett, R.N., M.S.N.  
Executive Director for the  
Board of Nursing

ENTERED: December 4, 2000

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CERTIFICATE OF SERVICE

I hereby certify that a certified true copy of the foregoing Order was mailed on this day to Sheryl Lenoris Mason at 7210 Hunt Road, Jarratt, Virginia 23867.

  
Nancy K. Durrett, R.N., M.S.N.  
Executive Director for the  
Board of Nursing

DATE: December 4, 2000