

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: JESSICA F. BOMAR, R.N.**  
**License No.: 0001-237139**

**CONSENT ORDER**

The Virginia Board of Nursing ("Board") and Jessica F. Bomar, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Bomar's license to practice professional nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. Jessica F. Bomar, R.N., was issued License No. 0001-237139 to practice professional nursing by the Virginia Board of Nursing on May 8, 2012. Said license is set to expire on January 31, 2017. Ms. Bomar's primary state of residence is Virginia.

2. An informal conference was held before a Special Conference Committee ("Committee") of the Board of Nursing ("Board") on October 27, 2014, in Henrico County, Virginia, to inquire into evidence that Ms. Bomar may have violated certain laws and regulations governing the practice of nursing in Virginia. The Special Conference Committee concluded Ms. Bomar had violated § 54.1-3007(5) and (6) of the Code of Virginia (1950), as amended ("Code"), based on the following findings of fact:

a. During the course of her employment with Halifax Regional Hospital, South Boston, Virginia, on March 24, 2014, Ms. Bomar was observed sleeping while on duty. By her own admission, Ms. Bomar took two Xanax (alprazolam, Schedule IV) tablets while on duty. At the informal conference Ms. Bomar indicated she took the Xanax at the end of her shift but she had not yet clocked-out; she did not provide any patient care after taking the Xanax. Earlier in the day a drug screen was obtained and results

later indicated Ms. Bomar tested positive for Valium (diazepam, Schedule IV), for which she did not have a prescription. At the informal conference Ms. Bomar indicated she had taken Librax the previous day, for which she did not have a prescription, which caused the positive drug screen.

b. Ms. Bomar has been diagnosed with depression, anxiety, panic attacks, Crohn's disease and celiac disease. She is currently prescribed Xanax, Oxycontin, Percocet and Humira.

3. Following the informal conference, the Board entered an Order dated November 12, 2014 ("Board's Order"), which required Ms. Bomar to have a mental health and substance abuse evaluation completed by a Board-approved provider within 90 days of entry of the Board's Order.

4. Ms. Bomar submitted an evaluation report completed by a Board-approved provider, which the Board received on February 4, 2015. The provider reported that Ms. Bomar did not have a substance abuse disorder, and therefore did not require substance abuse treatment or monitoring. The provider also reported that Ms. Bomar did not have a mental health diagnosis which would in any way limit her ability to safely practice.

#### CONCLUSIONS OF LAW

1. Finding of Fact No. 2(a) constitutes a violation of § 54.1-3007(5) and (6) of the Code.
2. Finding of Fact No. 2(b) constitutes a violation of § 54.1-3007(6) of the Code.
3. Ms. Bomar has complied with the Board's Order entered November 12, 2014.

#### CONSENT

Jessica F. Bomar, by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;

3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;

4. She waives all such right to an informal conference;

5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;

6. She consents to the entry of the following Order affecting her right to practice professional nursing in Virginia.

### **ORDER**

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. Jessica F. Bomar, R.N. is hereby REPRIMANDED.
2. The Board shall TAKE NO FURTHER ACTION against Ms. Bomar.
3. Ms. Bomar 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 upon request.

FOR THE BOARD

*per Gloria Mitchell-Sively*  
Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.  
Executive Director, Virginia Board of Nursing

ENTERED: August 6, 2015

SEEN AND AGREED TO:

*Jessica F. Bomar, R.N.*  
JESSICA F. BOMAR, R.N.

COMMONWEALTH OF VIRGINIA,  
COUNTY/CITY OF Halifax County, TO WIT: Jessica F. Bomar, R.N.

Subscribed and sworn to before me, Lita R. Wilmoth a Notary Public, this 29<sup>th</sup> day of July, 2015..

My commission expires June 30, 2018.

Registration Number 7038237.

*Lita R. Wilmoth*  
NOTARY PUBLIC

LITA R. WILMOUTH  
NOTARY PUBLIC  
Commonwealth of Virginia  
Reg. #7038237  
My Commission Expires June 30, 2018

Certified True Copy

By [Signature]  
Virginia Board of Nursing