

VIRGINIA:

BEFORE THE BOARD OF NURSING

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

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 October 27, 2014 in Henrico County, Virginia, to inquire into evidence that Jessica Bomar, R.N., may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Bomar was present and was represented by Eileen Talamante, Esquire.

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

FINDINGS OF FACT

1. Jessica Bomar, R.N., was issued License No. 0001-237139 to practice professional nursing in the Commonwealth of Virginia on May 8, 2012. Said license is set to expire on January 31, 2015. Ms. Bomar’s primary state of residence is Virginia.

2. By letter dated July 15, 2014, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Bomar notifying her that an informal conference would be held on August 11, 2014. The Notice was sent by certified and first class mail to 1045 MacDonald Road, Scottsburg, Virginia, 24589, the address of record on file with the Board of Nursing. The informal conference was continued at the request of Ms. Bomar’s attorney and the matter was rescheduled for October 27, 2014. A continuance confirmation was mailed to Ms. Bomar on August 7, 2014, by certified mail.

3. 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.

4. Ms. Bomar's employment with Halifax Regional Hospital was terminated on April 7, 2014, in relation to the positive drug screen.

5. 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.

6. Ms. Bomar is scheduled to begin attending counseling in the near future with Southern Virginia Mental Health in South Boston, Virginia.

7. Ms. Bomar is currently employed at Cardiology Clinic Incorporated, in a clinical setting.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of §54.1-3007(5) and (6) of the Code.

2. Finding of Fact No. 5 constitutes a violation of §54.1-3007(6) of the Code.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. Jessica Bomar, R.N., shall have a mental health and substance abuse evaluation completed by a mental health provider satisfactory to the Board and shall have a written report of the evaluation, including a diagnosis, recommended course of therapy, prognosis, and any recommendations sent to the Board within

90 days after the date that this Order is entered. Upon receipt of the required information, the Board may request that Ms. Bomar reappear before a Special Conference Committee in order to consider the specialist's recommendations and to make a final disposition of the matter.


2. 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.

3. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. Bomar and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Bomar may, not later than 5:00 p.m., on December 15, 2014, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:

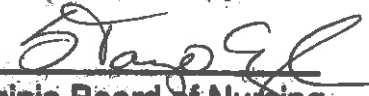


Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director, Virginia Board of Nursing

ENTERED: November 12th, 2014

This Order shall become final on December 15, 2014, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 

Virginia Board of Nursing