

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: CYNTHIA SISSON, R.N.
License No.: 0001-066230**

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on April 27, 2015, in Henrico County, Virginia. Cynthia Sisson, R.N., was present and was represented by Barbara Queen, Esquire. Allison Gregory, M.S., R.N., FNP-BC, serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On July 15, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Sisson was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Cynthia Sisson, R.N., was issued License No. 0001-066230 to practice professional nursing in Virginia on September 9, 1977. The license is scheduled to expire on July 31, 2016. Ms. Sisson's primary state of residence is Virginia.
2. By letter dated March 30, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Sisson notifying her that an informal conference would be held on April 27, 2015. The Notice was sent by certified and first class mail to 3214 Dogwood Drive, Portsmouth, Virginia, 23703, the address of record on file with the Board of Nursing.
3. Ms. Sisson was previously on probation with the Virginia Board of Nursing for two years due to a history of cocaine abuse. Her license was reinstated without terms in 1983.

4. During the course of her employment with Sentara Norfolk General Hospital, Norfolk, Virginia, on or about June 25, 2009, Ms. Sisson reported to work exhibiting signs of intoxication, including slurred speech. A for-cause drug and alcohol screening administered at that time was positive for alcohol.

5. On August 10, 2009, Ms. Sisson signed a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP"), in which she acknowledged that she may suffer from the disease of alcoholism and/or chemical abuse and/or mental illness. She was given a stay of disciplinary action.

6. On June 13, 2014, Ms. Sisson tested positive for alcohol on a screen ordered as part of her HPMP participation. The stay of disciplinary action was vacated on June 23, 2014. The HPMP staff approved Ms. Sisson to return to work on June 24, 2014 since her job did not involve direct patient care. Her contract with HPMP, which was set to end in July 2014, was extended for another year.

7. Ms. Sisson has completed a relapse prevention program and currently continues to attend a weekly recovery group that focuses on relapse and relapse prevention. As of the date of the informal conference, she stated that she had last attended on April 22, 2015. She also attends three Alcoholics Anonymous meetings per week, and Caduceus meetings once a month, and she meets with a counselor once a week. She remains enrolled in and compliant with HPMP.

8. Ms. Sisson stated at the informal conference that she began employment as a clinical manager with Intrepid Hospice on April 20, 2015. She had previously been employed at Heartland Home Health, from which she resigned voluntarily after four years of employment. She stated that Intrepid was aware of the Board proceedings.

8. Ms. Sisson reported her date of sobriety as June 14, 2014. She reported her previous

date of sobriety as August 8, 2010. Ms. Sisson reported that she has no criminal history. She stated that she is scheduled to complete the HPMP in July 2015.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of § 54.1-3007 (5) and (6) of the Code of Virginia (1950), as amended (“Code”).
2. Finding of Fact Nos. 5 and 6 constitute a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. The Board shall TAKE NO ACTION against Cynthia Sisson, R.N., contingent on the condition that she remain compliant with the terms and conditions of the Health Practitioners’ Monitoring Program for the period specified by the HPMP.
2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Sisson, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Sisson shall be noticed to appear before the Board at such time as the Board is notified that:
 - a. Ms. Sisson 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. Sisson involving a violation of law or regulation or any term or condition of this Order; or
 - c. Ms. Sisson has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Sisson’s participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Sisson’s appearance before the Board and

conduct an administrative review of this matter.

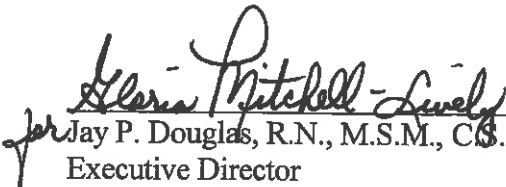
3. This Order is applicable to Ms. Sisson's multistate licensure privileges, if any, to practice Ms. Sisson. For the duration of this Order, Ms. Sisson shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where Ms. Sisson wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

4. Ms. Sisson shall maintain a course of conduct in his/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.

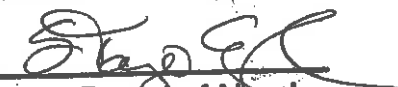
Pursuant to § 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Sisson may, not later than 5:00 p.m., on August 26, 2015, notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that he/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 BOARD:


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

Certified True Copy

By 
Virginia Board of Nursing

ENTERED: July 24, 2015

This Order shall become final on August 26, 2015, unless a request for a formal administrative hearing is received as described above.