

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       MARIE ISOE, C.N.A.  
              Certificate No.: 1401-144005**

**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 March 12, 2015, in Henrico County, Virginia. Marie Isoe, C.N.A., was present and was not represented by legal counsel. Jodi P. Power, R.N., J.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On May 20, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Isoe was not present nor was she represented by legal counsel. Ms. Isoe submitted written comments/objections.

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. Marie Isoe, C.N.A., was issued Certificate No. 1401-144005 to practice as a nurse aide in Virginia on April 20, 2011. The certificate is scheduled to expire on April 30, 2015.
2. By letter dated February 9, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Isoe notifying her that an informal conference would be held on March 12, 2015. The Notice was sent by certified and first class mail to 1311 Duke Drive, Vinton, Virginia 24179, the address of record on file with the Board of Nursing.
3. Ms. Isoe was hospitalized at Lewis Gale Medical Center, Salem, Virginia, on July 23, 2014, for mood disorder with acute psychosis. She was discharged on July 29, 2014, with a fair prognosis, as long as she continued her medications, refrained from using benzodiazepines, watched her Adderall intake and continued going to school. She was also advised to seek counseling.

4. Ms. Isoe had a history of medication noncompliance before and after her July 2014 hospitalization. In August 2014, Ms. Isoe stopped taking her prescribed medications and started drinking alcohol, to help settle her down and go to sleep. At the informal conference, Ms. Isoe stated that she knows that she has to take her medications and that she has been compliant since September 2014. She reported having one prior hospitalization in 2010 in Rhode Island for major depressive disorder.

5. Ms. Isoe currently receives mental health treatment from a psychiatrist once a month for medication management. She sees a counselor at Psychological Health of Roanoke and has been diagnosed with major depressive disorder with psychotic features, possible attention deficient hyperactivity disorder and inattentive presentation.

6. On February 19, 2015, during an interview with an investigator from the Department of Health Professions, when asked if Ms. Isoe was safe to practice, Ms. Isoe's current treating psychologist stated that she would benefit from being re-evaluated in 90 days in order to ensure that she is staying on her medications and is responding appropriately to the medications.

7. Ms. Isoe last worked as a nurse aide in a home health setting at Care Advantage from June to December 2013. She denied that her mental health impacted her practice at that time. Prior to that employment, she worked at South Roanoke Nursing Home from 2011 to 2012. At the informal conference, Ms. Isoe stated that she has no intention of returning to practice as a nurse aide in the foreseeable future due to her level of functioning and pursuit of graduate school.

8. Ms. Isoe is currently unemployed. She is temporarily living in Florida with family and applying to graduate schools to pursue a degree in psychology. She is not participating in the Health Practitioners' Monitoring Program ("HPMP"), but is willing to consider it if she returns to practice.

#### CONCLUSIONS OF LAW

Findings of Fact Nos. 3, 4 and 5 constitute a violation of § 54.1-3007(6) of the Code.

#### ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Certificate No. 1401-144005 of Marie Isoe, C.N.A., is INDEFINITELY SUSPENDED.

2. The certificate will be recorded as suspended and no longer current.

3. At such time as Ms. Isoe shall petition the Board for reinstatement of her certificate, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice as a nurse aide. Ms. Isoe shall be responsible for any fees that may be required for the reinstatement and renewal of the certificate prior to issuance of the certificate to resume practice.

4. This suspension shall be STAYED upon proof of entry into a Recovery Monitoring Contract with the Health Practitioners' Monitoring Program ("HPMP") pursuant to Chapter 25.1 of Title 54.1 of the Code and 18 VAC 76-10-10 *et seq.* of the Regulations Governing the HPMP. At such time, the indefinite suspension shall be STAYED and the following terms and conditions shall apply:

a. Ms. Isoe shall comply with all terms and conditions for the period specified by the HPMP.

b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the certificate of Marie Isoe, C.N.A., and an administrative proceeding shall be held to determine whether her certificate shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:

i. Ms. Isoe is not in compliance with the terms and conditions specified by the HPMP;

ii. Ms. Isoe's participation in the HPMP has been terminated;

iii. There is a pending investigation or unresolved allegation against Ms. Isoe involving a violation of law, regulation, or any term or condition of this order.

5. Upon receipt of evidence of Ms. Isoe's participation and successful completion of the HPMP, the Board, at its discretion, may waive Ms. Isoe's appearance before a Committee and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

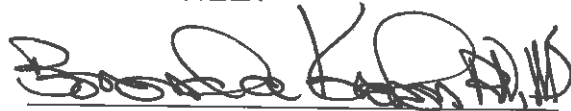
6. Ms. Isoe shall maintain a course of conduct in her capacity as a nurse aide commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Regulations Governing Certified Nurse Aides.

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. Isoe may, not later than 5:00 p.m., on **June 23, 2015**, 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 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:



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

ENTERED: May 26, 2015

This Order shall become final on June 23, 2015; unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By Shath  
Virginia Board Of Nursing