

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: MICHELLE L. RYAN, R.N.
License No.: 0001-170296

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 December 14, 2011, in Henrico County, Virginia, to receive and act upon Michelle L. Ryan's petition for the modification of the terms and conditions of an Order of the Board entered on August 11, 2010 ("Board's Order"), and to inquire into allegations that Ms. Ryan may be in violation of the Board's Order. Ms. Ryan was present and was not represented by legal counsel. Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Michelle L. Ryan, R.N., was issued License No. 0001-170296 to practice as a professional nurse in the Commonwealth of Virginia on August 3, 2000. Said license expires on April 30, 2013. Her primary state of residence is Virginia.
2. By letter dated November 18, 2011, the Board sent a Notice of Informal Conference ("Notice") to Ms. Ryan notifying her that an informal conference would be held on December 14, 2011. The Notice was sent by certified and first class mail to 1248 Pechin Ave SE, Roanoke, Virginia 24013, the address of record on file with the Board.
3. The above-referenced Board's Order reprimanded Ms. Ryan and placed her on probation for a period of not less than 12 months of actual nursing employment. This action was based on the Board's findings that during the course of her employment with Carilion Roanoke Memorial Hospital, Roanoke, Virginia, Ms.

Ryan entered into a non-therapeutic relationship with a former patient immediately following the patient's discharge from the facility.

4. Ms. Ryan provided evidence satisfactory to the Board that she has thus far provided all the documents required by the Board's Order in a timely manner.

CONCLUSIONS OF LAW

This matter is properly before this Committee, which has the authority to consider Ms. Ryan's petition for modification of the terms and conditions of probation as set forth in the Board's Order.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS that:

1. The petition of Michelle L. Ryan, R.N., for modification of Term No. 2(f) of the Board's Order, which required her to practice nursing only in a structured, supervised employment setting satisfactory to the Board for the first 12 months after being placed on probation which provides for on-site supervision by a physician/professional nurse who holds an unrestricted license, is hereby DENIED.

2. Michelle L. Ryan, R.N., is hereby CONTINUED on INDEFINITE PROBATION for not less than 12 months of actual nursing employment as specified in the Board Order entered August 11, 2010, subject to the following terms and conditions:

a. The period of probation shall begin on the date that the August 11, 2010, Order was entered and shall continue INDEFINITELY. After 12 months of active employment as a professional nurse, Ms. Ryan may request that the Board end this probation.

b. Ms. Ryan shall inform the Board in writing within ten days of the date she begins nursing practice, or changes employment, or if any interruption in nursing practice occurs. Additionally, Ms. Ryan shall provide the name and address of each employer to the Board.

c. Ms. Ryan shall inform her current nursing employer and each future nursing employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order. If Ms. Ryan is employed through a staffing agency; she shall inform her supervisor in each facility where assigned that she is on probation.

d. Performance Evaluations shall be provided, at the direction of Ms. Ryan, by all nursing employer(s), as provided by the Compliance Division. The first report must be received in the Board office no later than 60 days from the date the August 11, 2010, Order was entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September, and December until the period of probation ends.

e. Ms. Ryan shall practice nursing only in a supervised employment setting satisfactory to the Board for the first 12 months after being placed on probation. This employment setting shall provide on-site supervision by a physician/professional nurse who holds an unrestricted license. For all current nursing employment and before beginning or changing nursing employment during this period, Ms. Ryan shall have current and all prospective employers provide a written description of the employment setting to the Board office for approval.

f. Ms. Ryan shall submit quarterly "Self-Reports" which include a current address, telephone number, and verification of all current employment. These reports shall also include any changes in employment status. The first report must be received in the Board office no later than 60 days from the date the August 11, 2010, Order was entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September, and December until the period of probation ends.

g. Ms. Ryan shall conduct herself as a professional nurse in compliance with the requirements of Title 54.1, Chapter 30 of the Code and the Board of Nursing Regulations.


h. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Ryan and an administrative proceeding shall be held to decide whether her license shall be revoked.

3. This Order shall be applicable to Ms. Ryan's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. It is further ordered that for the duration of this Order, Ms. Ryan may 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 she wishes to work.

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. Ryan may, not later than 5:00 p.m., on February 14, 2012, notify Jay P. Douglas, 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, R.N., M.S.M., C.S.A.C.
Executive Director, Virginia Board of Nursing

ENTERED: January 12TH, 2012

This Order shall become final on February 14, 2012 unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By drahan
Virginia Board of Nursing