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VIRGINIA:

BEFORE THE BOARD OF NURSING & THE COMMITTEE OF THE JOINT BOARDS

IN RE:

**SHARON KENDALL, R.N., L.N.P.
LICENSE NO.'s: 3647A by PRIVILEGE & 0024168331**

ORDER

Now comes the Virginia Board of Nursing ("Board") and Sharon Kendall, R.N., L.N.P., as evidenced by the signature affixed below, enter into this Order affecting the licenses of Ms. Kendall to practice professional nursing and as a nurse practitioner the Commonwealth of Virginia.

FINDINGS OF FACT

After consideration of the evidence and statements concerning the allegations, the Committee makes the following Findings of Fact:

1. Sharon Kendall, L.N.P., held License No. 0024-168331 to practice as a nurse practitioner in the Commonwealth of Virginia. Said license expired on April 30, 2010. Ms. Kendall holds License No. 3647A in the State of South Carolina which expires on April 30, 2016. Ms. Kendall is privileged to practice professional nursing in the Commonwealth of Virginia by virtue of the Nurse Licensure Compact.
2. By Order(s) entered May 18, 2010, and June 16, 2010, Ms. Kendall was made subject to certain terms and conditions. One of the terms of this Order(s) was Ms. Kendall's compliance with all terms and conditions of her contract with the Health Practitioners' Monitoring Program ("HPMP"), pursuant to Chapter 25.1 of Title 54.1 of the Code of Virginia (1950), as amended, and 18 VAC 76-10-10, et seq., of the Regulations Governing the HPMP.
3. Ms. Kendall has complied with all terms and conditions of the above Order(s); and has successfully completed her contract with the HPMP.

CONCLUSIONS OF LAW

The Board concludes that Sharon Kendall, R.N., L.N.P., has met the requirements of the Code of Virginia (1950), as amended, and the Regulations of the Board of Nursing, and the Order(s) entered May 18, 2010, and June 16, 2010, and this matter is properly before the Board.

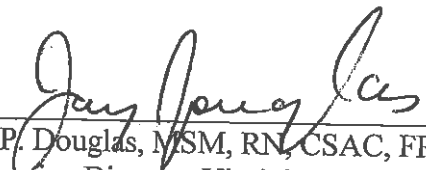
ORDER

WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law it is hereby ORDERED that the terms and conditions placed on the licenses of Sharon Kendall, R.N., L.N.P., to practice as a professional nurse and as a nurse practitioner in the Commonwealth of Virginia, be, and are hereby, TERMINATED.

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 a public record and shall be made available for public inspection or copying on request.

Pursuant to § 54.1-2400(10) of the Code, Ms. Kendall may, not later than 5:00 p.m., on December 17, 2014, 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 BOARD:



Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director, Virginia Board of Nursing

ENTERED: _____

November 14th, 2014

This Order shall become final on December 17, 2014 unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 

Virginia Board Of Nursing

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

SHARON KENDALL, R.N.

CONSENT ORDER

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

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

FINDINGS OF FACT

1. Sharon Kendall, R.N., holds License No. 119951 to practice professional nursing in the State of Tennessee. Said license is set to expire on April 30, 2010. She is privileged to practice professional nursing in Virginia by virtue of the Nurse Licensure Compact.

2. During the course of her employment as a nurse anesthetist with Staff Care, Inc., while on assignment to Sentara Careplex, Hampton, Virginia, by her own admission, in July and August, 2009, Ms. Kendall diverted Fentanyl (duragesic, Schedule II) from hospital supplies for her own personal and unauthorized use. She accomplished this diversion by removing more Fentanyl from the Pyxis system than was required for patients and retaining the unused portions for herself; and by removing the medication for patients who were not assigned to her and keeping the entire amounts. She self-injected some of this medication while on duty.

3. Ms. Kendall was admitted to Bradford Healthcare Services in Warrior, Alabama, on August 13, 2009 for substance abuse treatment and completed a 90-day program. Following her discharge in November, 2009, Ms. Kendall completed an outpatient program in Bradford's Nashville, Tennessee office. She is currently enrolled in an aftercare program with the South Carolina Recovering Professionals Program.

CONCLUSIONS OF LAW

Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2), (5), and (6) of the Code of Virginia (1950), as amended (“Code”), and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing.

CONSENT

Sharon Kendall, R.N., 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 contained herein and waives her right to contest such Findings of Fact in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her privilege 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. The Multistate Privilege of Sharon Kendall, R.N., is INDEFINITELY SUSPENDED.
2. The multistate privilege will be recorded as suspended and no longer current.

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

4. This suspension shall be STAYED upon proof of Ms. Kendall's entry into the Virginia Health Practitioners' Monitoring Program ("HPMP"), or a comparable South Carolina program, within 60 days of the entry of this Order. At such time, the indefinite suspension shall be STAYED and the following terms and conditions shall apply:

a. Ms. Kendall shall comply with all terms and conditions for the period specified by the HPMP or comparable South Carolina program.

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 multistate privilege of Ms. Kendall, and an administrative proceeding shall be held to determine whether her multistate privilege shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:

i. She is not in compliance with the terms and conditions specified by the HPMP,

ii. Her participation in the HPMP or comparable Tennessee program has been

terminated;

iii. There is a pending investigation or unresolved allegation against her involving

a violation of law, regulation, or any term or condition of this Order.

5. Ms. Kendall 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.

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CONSENT ORDER - Sharon Kendall, R.N.
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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

Patricia Selig
Joy P. Douglas, R.N., M.S.N., C.S.N.C. PATRICIA SELIG, RN, A, FI
Executive Director, Virginia Board of Nursing

ENTERED: 5/18/10

SEEN AND AGREED TO:

Sharon Kendall
Sharon Kendall, R.N.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Charlottesville TO-WIT:

Subscribed and sworn to before me, Dan Lee, a Notary Public, this 30th day of April, 2010.

My Commission Expires
September 21, 2019

My commission expires _____

Registration Number _____

Dan Lee
DAN LEE
NOTARY PUBLIC

VIRGINIA:

**BEFORE THE COMMITTEE OF THE
JOINT BOARDS OF NURSING AND MEDICINE**

IN RE: SHARON KENDALL, R.N., L.N.P.

CONSENT ORDER

The Virginia Committee of the Joint Boards of Nursing and Medicine ("Committee of the Joint Boards") and Sharon Kendall, R.N., L.N.P., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Kendall's license to practice as a nurse practitioner in Virginia.

The Committee of the Joint Boards adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Sharon Kendall, R.N., holds License No. 119951 to practice professional nursing in the State of Tennessee. Said license is set to expire on April 30, 2010. She is privileged to practice professional nursing in Virginia by virtue of the Nurse Licensure Compact. Ms. Kendall holds License No. 0024-168331 to practice as a nurse practitioner issued by the Virginia Committee of the Joint Boards on May 28, 2009. Said license is set to expire on April 30, 2010.
2. During the course of her employment as a nurse anesthetist with Staff Care, Inc., while on assignment to Sentara Careplex, Hampton, Virginia, by her own admission, in July and August, 2009, Ms. Kendall diverted Fentanyl (duragesic, Schedule II) from hospital supplies for her own personal and unauthorized use. She accomplished this diversion by removing more Fentanyl from the Pyxis system than was required for patients and retaining the unused portions for herself; and by removing the medication for patients who were not assigned to her and keeping the entire amounts. She self-injected some of this medication while on duty.

3. Ms. Kendall was admitted to Bradford Healthcare Services in Warrior, Alabama, on August 13, 2009 for substance abuse treatment and completed a 90-day program. Following her discharge in November, 2009, Ms. Kendall completed an outpatient program in Bradford's Nashville, Tennessee office. She is currently enrolled in an aftercare program with the South Carolina Recovering Professionals Program.

CONCLUSIONS OF LAW

Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2), (5), and (6) of the Code of Virginia (1950), as amended ("Code"), 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing, and 18 VAC 90-30-220(4) and (5) of the Regulations Governing the Licensure of Nurse Practitioners.

CONSENT

Sharon Kendall, R.N., L.N.P., 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 Committee of the Joint Boards, 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 contained herein and waives her right to contest such Findings of Fact in any subsequent proceeding before the Committee of the Joint Boards;
6. She consents to the entry of the following Order affecting her right to practice as a nurse practitioner in Virginia.

ORDER

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

1. License No. 0024-168331 of Sharon Kendall, R.N., L.N.P., is **INDEFINITELY SUSPENDED.**

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

3. At such time as Ms. Kendall shall petition the Committee of the Joint Boards for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Kendall shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.

4. This suspension shall be **STAYED** upon proof of Ms. Kendall's entry into the Virginia Health Practitioners' Monitoring Program ("HPMP"), or a comparable South Carolina program, within 60 days of the entry of this Order. At such time, the indefinite suspension shall be **STAYED** and the following terms and conditions shall apply:

a. Ms. Kendall shall comply with all terms and conditions for the period specified by the HPMP or comparable South Carolina program.


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 license of Ms. Kendall, and an administrative proceeding shall be held to determine whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Committee of the Joint Boards is notified that

- i. She is not in compliance with the terms and conditions specified by the HPMP;
- ii. Her participation in the HPMP or comparable South Carolina program has been terminated;
- iii. There is a pending investigation or unresolved allegation against her involving violation of law, regulation, or any term or condition of this Order.

5. Ms. Kendall shall maintain a course of conduct in her capacity as a nurse practitioner commensurate with the requirements of §§ 54.1-2900 *et seq.* and 54.1-3000 *et seq.* of the Code and the regulations Governing the Licensure of Nurse Practitioners.

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 COMMITTEE OF THE JOINT BOARDS


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

ENTERED: June 16th, 2010

CONSENT ORDER - Sharon Kendall, R.N.
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SEEN AND AGREED TO:

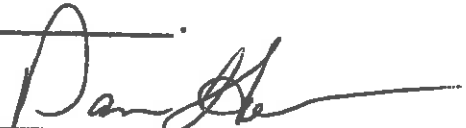

Sharon Kendall, R.N., L.N.P.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Greenwell, TO WIT:

Subscribed and sworn to before me, Pam H, a Notary Public, this 30th day of April, 2010. My Commission Expires September 21, 2019

My commission expires _____

Registration Number _____


NOTARY PUBLIC