

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       JANIE HERRING-LONG, R.N. REINSTATEMENT APPLICANT**  
**License No.: 0001-116575**

**CONSENT ORDER**

The Virginia Board of Nursing (“Board”) and Janie Herring-Long, as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Herring-Long’s application for reinstatement of her license to practice professional nursing in Virginia.

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

**FINDINGS OF FACT**

1. Janie Herring-Long was issued License No. 0001-116575 to practice professional nursing by the Virginia Board of Nursing on September 28, 1989. Said license expired on January 31, 2003. Ms. Herring-Long holds License No. RN50722 to practice in the District of Columbia, which expires on June 30, 2016, and License No. 287886 to practice in New York, which expires on February 28, 2015.
2. Ms. Herring-Long submitted an application for reinstatement of her license which was received by the Board on May 16, 2014. Ms. Herring-Long declared Virginia as her primary state of residence.
3. On November 17, 2009, the Maryland State Board of Nursing permanently revoked Ms. Herring-Long’s license to practice professional nursing based on findings that she was expelled from the rehabilitation program for failure to comply with the program.
4. By Order entered July 17, 2012, by the Board of Nursing for the District of Columbia, Ms. Herring-Long’s license was suspended based on the action by the Maryland Board. In October 2013, her license was reinstated.

5. On October 19, 2012, Ms. Herring-Long entered a Participation Agreement with the District of Columbia Board of Nursing Committee on Impaired Nurses, due to chemical dependency. Her current contract expires October 19, 2015.

6. On May 31, 1998, in the District Court of Baltimore, Maryland, Ms. Herring-Long was convicted of driving while under the influence.

7. On the application for reinstatement dated May 14, 2014, Ms. Herring-Long answered “no” to the question, “have you ever been convicted, pled guilty to or pled Nolo Contendere to the violation of any federal, state or other statute or ordinance constituting a felony or misdemeanor?” when, in fact, she had the above-referenced conviction.

8. Ms. Herring-Long reported a sobriety date of September 11, 2010.

#### CONCLUSIONS OF LAW

1. Finding of Fact No. 3 and 4 constitutes a violation of § 54.1-3007(6) and (7) of the Code.
2. Findings of Fact Nos. 5 and 6 constitute a violation of § 54.1-3007(6) of the Code.
3. Finding of Fact No. 7 constitutes a violation of § 54.1-3007(1) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing.
4. The Board concludes that Ms. Herring-Long has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner, with certain restrictions.

#### CONSENT

Janie Herring-Long, 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 and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;

6. She consents to the entry of the following Order affecting her application for reinstatement 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 application of Janie Herring-Long for reinstatement of her license to practice professional nursing is APPROVED contingent upon her continued compliance with all terms and conditions of the District of Columbia Board of Nursing Committee on Impaired Nurses (“COIN”).

2. Ms. Herring-Long shall be issued a license marked “valid in Virginia only.”

3. Written reports are required by this Order and, unless otherwise specified, shall be sent to Compliance at the Board offices with the first report received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of participation in COIN ends. Many of the required report forms are available on the Board’s website for your convenience.

4. Ms. Herring-Long shall submit “Self-Reports” which include a current address, telephone number, and verification of any and all current practice employment. These reports shall also include

documentation of continued compliance from COIN and any changes in practice employment status. Self Reports must be submitted whether Ms. Herring-Long has current practice employment or not.

5. Ms. Herring-Long 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.

6. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Janie Herring-Long, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Herring-Long shall be noticed to appear before the Board at such time as the Board is notified that:

a. Ms. Herring-Long is not in compliance with the terms and conditions of the COIN, or has been terminated from participation in the COIN;

b. There is a pending investigation or unresolved allegation against Ms. Herring-Long involving a violation of law or regulation or any term or condition of this Order; or

c. Ms. Herring-Long has successfully completed the above-referenced period of participation in the COIN. However, upon receipt of Ms. Herring-Long's participation in and compliance with the COIN, the Board, at its discretion, may waive her appearance before the Board and conduct an administrative review of this matter.

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

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

ENTERED: November 12<sup>th</sup>, 2014

SEEN AND AGREED TO:

Janie Herring-Long  
Janie Herring-Long

ERNEST KUMI  
NOTARY PUBLIC DISTRICT OF COLUMBIA  
My Commission Expires February 28, 2017

COMMONWEALTH OF VIRGINIA, District of Columbia  
COUNTY/CITY OF \_\_\_\_\_, TO WIT:

Subscribed and sworn to before me, Ernest Kumi, a Notary Public, this 3<sup>rd</sup> day of November, 2014.

My commission expires 2-28-17.

Registration Number No registration number. E.K

Ernest Kumi  
NOTARY PUBLIC



District of Columbia: SS  
Subscribed and sworn to before me, in my presence,  
this 3<sup>rd</sup> day of November, 2014  
Ernest Kumi  
Ernest Kumi, Notary Public, D.C.  
My commission expires February 28, 2017.

Certified True Copy

By Shath  
Virginia Board Of Nursing