

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: MYRA FELDMAN, R.N.**

**ORDER**

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on March 19, 2008, in Henrico County, Virginia, to receive and act upon the evaluation of Myra Feldman, R.N., as required in an Order of the Board entered on December 20, 2006. The case was presented by Peter Opper, Adjudication Specialist, Administrative Proceedings Division. Amy Marschean, Senior Assistant Attorney General, was present as legal counsel for the Board. Ms. Feldman was present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. The license of Myra Feldman to practice professional nursing in Virginia was issued on September 15, 1982.
2. By order entered December 20, 2006, Ms. Feldman was required to have an evaluation by a licensed psychiatrist satisfactory to the Board with a written report of the evaluation, including a diagnosis, recommended course of therapy, prognosis, and any recommendations sent to the Board.
3. The Board-approved psychiatrist conducted Ms. Feldman's evaluation on February 28, 2007, and submitted a report to the Board dated March 22, 2007.
4. The Board-approved psychiatric evaluation recommended that Ms. Feldman pursue a 12-month interim of medication and psychotherapy and "refusal to comply with such recommendation renders a poor prognosis."

5. Ms. Feldman has refused both the medication and psychotherapy treatment and testified that she does not need such treatment. She testified that she will not pursue further mental health treatment because she does not trust many people.

### **CONCLUSIONS OF LAW**

The Board concludes that Findings of Fact Nos. 2, 3, 4 and 5 constitute a violation of § 54.1-3007(6) of the Code:

### **ORDER**

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. License No. 0001-086745 issued to Myra Feldman, R.N., to practice professional nursing in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED for a period of not less than two years.

2. The license of Myra Feldman, R.N., will be recorded as SUSPENDED and no longer current. Should Ms. Feldman seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license prior to issuance of her license to resume practice.

3. At such time as Ms. Feldman shall petition the Board for reinstatement of her license, a hearing will be convened to determine whether she is able to return to the safe and competent practice of nursing.

4. This Order shall be applicable to Ms. Feldman's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia.

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.

FOR THE BOARD

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

April 11<sup>th</sup>, 2008  
ENTERED

**NOTICE OF RIGHT TO APPEAL**

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

**Certificate of Service**

I hereby certify that a true copy of the foregoing Order was mailed on this day to Myra Feldman, R.N., at 5632 Parkland Court, Virginia Beach, VA 23464.

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

April 11<sup>th</sup>, 2008  
DATE