

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: MYRA FELDMAN, R.N.

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 12, 2006, in Henrico County, Virginia, to inquire into evidence that Myra Feldman may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Feldman was present and was not represented by counsel. Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Myra Feldman, R.N., was issued License No. 0001-086745 to practice as a professional nurse in the Commonwealth of Virginia on September 15, 1982. Said license expires on January 31, 2008.
2. Ms. Feldman suffers from a mental health diagnosis that requires medication, a requirement with which she has been non-compliant. Further, it is the opinion of Ms. Feldman’s treatment provider that she is unsafe to practice nursing at this time. Her employment with DePaul Medical Center, Norfolk, Virginia, was terminated relative to this matter on or about August 4, 2006.
3. After preliminary investigation, the Committee found that there was probable cause to believe that Ms. Feldman may be unable to practice nursing with reasonable skill and safety to patients due to mental illness.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(6) of the Code.

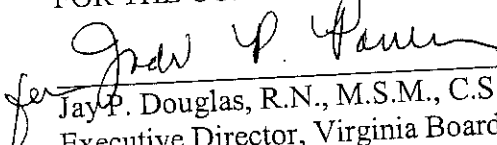
ORDER

On the basis of the foregoing, and pursuant to § 54.1-2400(15) of the Code, the Committee hereby ORDERS as follows:

Ms. Feldman shall have an evaluation by a licensed psychiatrist satisfactory to the Board and shall have a written report of the evaluation, including a diagnosis, recommended course of therapy, prognosis, and any recommendations sent to the Board within 90 days after the date that this Order is entered. The psychiatrist shall also provide an opinion as to Ms. Feldman's competency to practice nursing. Upon receipt of the required information, the Board may request that Ms. Feldman reappear before a Special Conference Committee in order to consider the psychiatrist's recommendations and to make a final disposition of the 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 on request.

FOR THE COMMITTEE



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

ENTERED: December 20, 2004

NOTICE OF RIGHT TO FORMAL HEARING

If you do not consent to the Committee's decision and desire a hearing before the Board or a panel thereof, you shall notify, in writing, the Executive Director of the Board of Nursing, 6603 West Broad Street, Fifth Floor, Richmond, Virginia 23230-1717, within 33 days of the date of entry of this Order. This Order shall become final upon expiration of the 33-day period unless a request for a formal hearing is received

shall become final upon expiration of the 33-day period unless a request for a formal hearing is received within such time. Upon receiving a timely request for a hearing, this Order shall be vacated and the Board or a panel thereof shall proceed with a hearing as provided in § 2.2-4020 *et seq.* of the Code.

CERTIFICATE OF SERVICE

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

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

December 20, 2004
Date