

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: MELISSA ANN TERRY, R.N.
License No.: 0001-179604**

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on July 2, 2014, in Henrico County, Virginia. Melissa Ann Terry, R.N., was not present nor was she represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On September 17, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Terry was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Melissa Ann Terry, R.N., was issued License No. 0001-179604 to practice professional nursing in Virginia on July 9, 2002. The license expired on August 31, 2013. Ms. Terry's primary state of residence is Virginia.

2. By letter dated June 10, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Terry notifying her that an informal conference would be held on July 2, 2014. The Notice was sent by certified and first class mail to ui83435 Cedar Springs Road, Rural Retreat, Virginia, 24368, the address of record on file with the Board of Nursing. The unsigned receipt for the Notice sent via certified mail and the Notice of Informal Conference sent via certified mail were returned to the Board

office unclaimed. The Notice sent via first-class mail was not returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Terry and the informal conference proceeded in her absence.

3. On January 31, 2014, Ms. Terry was hospitalized at Carilion St. Albans Hospital, Christiansburg, Virginia, pursuant to a temporary detention order related to suicidal ideations, depression, hallucinations, and a history of substance abuse, including narcotics, benzodiazepines, and marijuana. She is not currently being treated for her substance abuse issues and has applied for disability.

4. Ms. Terry last worked as a professional nurse in 2009. Ms. Terry stated to an investigator for the Department of Health Professions that she has memory problems, which she acknowledged must improve before she can return to work. Ms. Terry has multiple criminal convictions, including for shoplifting and for driving on a suspended license.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

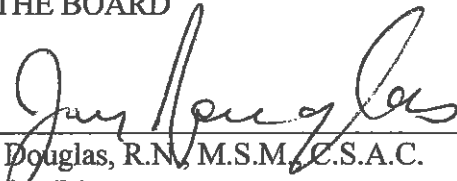
1. The right of Melissa Ann Terry, R.N., to renew License No. 0001-179604 to practice professional nursing is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Terry shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Terry 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 applies to any multistate privilege to practice professional nursing.

Pursuant to § 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 and copying upon request.

Since Ms. Terry failed to appear at the informal conference, this Order shall be considered final. Ms. Terry has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Terry has thirty (30) days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within 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, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

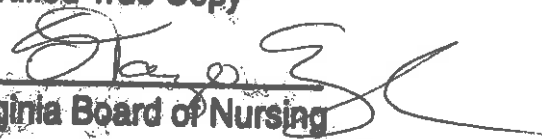
FOR THE BOARD



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

Entered: October 3, 2014RD

Certified True Copy

By 
Virginia Board of Nursing