

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: SHERMAINE MEDLEY, L.P.N.
License No.: 0002-080868

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Shermaine Medley, L.P.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Medley's license to practice practical nursing in Virginia.

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

FINDINGS OF FACT

1. Shermaine Medley, L.P.N. was issued License No. 0002-080868 to practice practical nursing by the Virginia Board of Nursing on August 3, 2009. Said license is set to expire on August 31, 2014. Ms. Medley's primary state of residence is Virginia.
2. During the course of her employment with Continuum Pediatric Nursing, on or about March 4, 2014, Ms. Medley did not call her employer and did not report to her assigned patients' home as scheduled.
3. Ms. Medley was terminated from Continuum Pediatric Nursing on or about March 5, 2014. Ms. Medley was noted to have entered hours of work via computer on March 7, 2014 for the dates of March 3, 2014, March 4, 2014, and March 6, 2014. Ms. Medley did not work March 3, March 4, or March 6, 2014. Ms. Medley claimed she had previously asked a family member to enter her hours for her because she did not have a computer. She stated that she left the individual a voicemail instructing them to not enter any hours for the above dates.

4. On her application for employment with Continuum Pediatric Nursing Services, dated February 20, 2014, Ms. Medley failed to disclose that she was terminated from Hope in Home Care in June 2011. Ms. Medley also failed to disclose termination from her contractual employment through Case Pro with the Naval Medical Center, Portsmouth, Virginia, in April 2013.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of §54.1-3007(2), (5), and (8) of the Code of Virginia (1950), as amended (“Code”) and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing (“Regulations”).

2. Finding of Fact No. 3 and Finding of Fact No. 4 constitute a violation of §54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations.

CONSENT

Shermaine Medley, L.P.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 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 right to practice practical 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. Shermaine Medley, L.P.N., is hereby REPRIMANDED.
2. Ms. Medley shall provide the Board with verification that she has completed the following NCSBN Courses within 30 days of the entry of this Order: *Ethics of Nursing Practice* and *Professional Accountability and Legal Liability for Nurses*.
3. Ms. Medley shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.
4. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. Medley and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

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 Douglas

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

ENTERED: August 27th, 2014

SEEN AND AGREED TO:

Shermaine Medley L.P.N.

Shermaine Medley, L.P.N.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Virginia Beach, TO WIT:

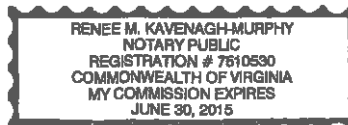
Subscribed and sworn to before me, Renée M. Kavenagh-Murphy, a Notary Public, this 19 day of August, 2014.

My commission expires 06/30/2015

Registration Number 7510530

Renée M. Kavenagh-Murphy

NOTARY PUBLIC



Certified True Copy

By *Stan L.*

Virginia Board of Nursing