

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:**

**BILLIE ANNE FARMER, R.N. APPLICANT**

**ORDER**

In accordance with §§ 2.2-4019, 2.2-4021, and 54.1-2400(7) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted by a committee of two members of the Board of Nursing ("Board") on October 2, 2012, in Henrico County, Virginia, to consider the application of Bill Ann Farmer for licensure by endorsement as a professional nurse, and to inquire into evidence that she may have violated certain laws and regulations governing professional nursing practice in Virginia. Ms. Farmer was present and was not represented by legal counsel. The Informal Conference Committee ("Committee") submitted a Recommended Decision for consideration.

On November 14, 2012, the Board met to receive and act upon the Recommended Decision of the Committee. Ms. Farmer was not present and was not represented by legal counsel.

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

**FINDINGS OF FACT**

1. Billie Ann Farmer submitted an application for licensure by endorsement as a professional nurse on May 31, 2012. Ms. Farmer is also licensed to practice professional nursing in North Carolina. Her primary state of residence is Virginia.
2. By letter dated September 5, 2012, the Board sent a Notice of Informal Conference to Billie Ann Farmer notifying her that an informal conference would be held on October 2, 2012. The notice was sent by certified and first class mail to 521 Bluff Avenue S.W. #43, Roanoke, Virginia 24016, the address of record on file with the Board.

3. By Consent Order entered on November 9, 2006, Ms. Farmer surrendered her North Carolina professional nursing license to the North Carolina Board of Nursing ("North Carolina Board") for three months and she was placed on probation on February 27, 2007, based on findings that on May 8, 2006, and April 17, 2006, during the course of her employment with Home Total Care, Winston Salem, North Carolina, and assigned to visit residents who were living independently, she falsely documented visiting two residents.

4. By Order of the North Carolina Board entered on March 12, 2009, Ms. Farmer's license to practice professional nursing in North Carolina was not reinstated, and she was subject to certain terms and conditions.

5. By Order of the North Carolina Board of Nursing dated April 12, 2012, Ms. Farmer's license to practice professional nursing was reinstated, and she was placed on probation, subject to certain terms and conditions.

6. A psychological evaluation conducted on March 6, 2012, and March 7, 2012, stated that in 2009 and 2010 Ms. Farmer suffered from depression and suicidal thoughts.

7. On Ms. Farmer's application for licensure by endorsement as a professional nurse received by the Board on May 31, 2012, she answered "No" to the question "Do you have a mental, physical or chemical dependency condition which could interfere with your current ability to practice nursing? when, in fact, Ms. Farmer suffers from a mental illness that could interfere with her ability to practice professional nursing as evidenced by Finding of Fact No. 6.

8. At the informal conference, Ms. Farmer stated that her depression, due to multiple stressors in April and May, 2006, led to her falsifying her documentation as stated in Finding of Fact No. 3. Ms. Farmer further stated that she feels that she is currently safe to practice. In the psychological evaluation conducted on March 6, 2012, and March 7, 2012, the psychologist stated that his overall clinical impression is that there

does not appear to be significant evidence to find a potential concern about Ms. Farmer having her nurse's license reinstated.

### CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), and (7) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations Governing the Practice of Nursing ("Regulations").
2. Findings of Fact Nos. 4 and 5 constitute a violation of § 54.1-3007(7) of the Code.
3. Finding of Fact No. 6 constitutes a violation of § 54.1-3007(6) of the Code.
4. 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.
5. Ms. Farmer otherwise meets the qualifications of § 54.1-3018 of the Code.

### ORDER

WHEREFORE, it is hereby ORDERED that the application of Billie Ann Farmer for licensure by endorsement as a professional nurse is APPROVED, and she shall be placed on INDEFINITE PROBATION under the following terms and conditions:

1. The period of probation shall begin on the date that this Order is entered and shall continue indefinitely. After 12 months of active employment as a professional nurse, Ms. Farmer may request that the Board end this probation.
2. Ms. Farmer shall inform the Board in writing within ten days of the date she begins nursing practice, or changes employment, or if any interruption in nursing practice occurs. Additionally, Ms. Farmer shall provide the name and address of each employer to the Board.
3. Ms. Farmer shall inform her current nursing employer and each future nursing employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order. If Ms.

Farmer is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.

4. Performance Evaluations shall be provided, at the direction of Ms. Farmer, by all nursing employer(s), as provided by the Compliance Division. The first report must be 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 probation ends.

5. Ms. Farmer shall submit quarterly "Self-Reports" which include a current address, telephone number, and verification of all current employment. These reports shall also include any changes in employment status. The first report must be 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 probation ends.

6. The Board shall issue a license marked "Valid in Virginia Only; Probation with Terms."

7. Ms. Farmer shall conduct herself as a licensed professional nurse in compliance with the requirements of Title 54.1, Chapter 30 of the Code, and the Board of Nursing Regulations.

8. Any violation of the stated terms and conditions contained in this Order, or failure to comply with all terms of this Order within five years of the date of entry of the Order, shall be reason for suspending or revoking the license of Ms. Farmer and an administrative proceeding may be held to determine whether her license shall be suspended or revoked.

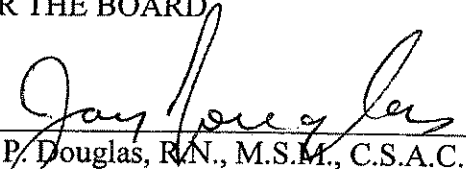
9. This Order is applicable to Ms. Farmer's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Farmer shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where she wishes to

work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Farmer may, not later than 5:00 p.m., on **December 26, 2012**, notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that he/she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD

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

ENTERED: November 20, 2012

This Order shall become final on **December 26, 2012**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By   
Virginia Board of Nursing