

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: SHERYL L. MASON, L.P.N. REINSTATEMENT APPLICANT
License No.: 0002-048568

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 August 17, 2015, in Henrico County, Virginia, to receive and act upon the application of Sheryl L. Mason for reinstatement of her license to practice practical nursing in Virginia and to inquire into evidence that Ms. Mason may have violated certain laws governing practical nursing practice. Ms. Mason was present and was not represented by legal counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Sheryl L. Mason was issued License No. 0002-048568 to practice practical nursing in the Commonwealth of Virginia on November 29, 1993. Said license was suspended by Order of the Board entered on March 18, 2014, based on findings that Ms. Mason was dismissed from the Health Practitioners’ Monitoring Program (“HPMP”) on September 20, 2013, for continued use of alcohol and failing to comply with the urine toxicology screening program. Her primary state of residence is Virginia.

2. By letter dated July 8, 2015, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Mason notifying her that an informal conference would be held on August 17, 2015. The Notice was sent by certified and first class mail to 7208 Hunt Road, Jarratt, Virginia 23867, the address of record on file with the Board of Nursing.

3. Ms. Mason submitted an application for reinstatement of her license to practice practical nursing which was received by the Board on March 3, 2015.

4. Ms. Mason stated that her sobriety date from cocaine is February 15, 2009. She could not provide a sobriety date for alcohol and estimated it to be June 2013. Ms. Mason reported that she attends Alcoholics Anonymous or Narcotics Anonymous meetings three times a week. She is currently on Step 5 and does not have a sponsor.

5. Ms. Mason is currently prescribed fluoxetine and buspirone for depression and anxiety.

6. Ms. Mason reported that she signed a Participation Contract with the HPMP and mailed it to the HPMP office on August 13, 2015.

7. Ms. Mason is currently unemployed. Her last position was a temporary job in November 2014. Ms. Mason was employed as a residential specialist with a community services board from 2009-2011. She last practiced nursing in 2002.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 4 and 5 constitute a violation of § 54.1-3007(6) of the Code.
2. The Committee concludes that Sheryl L. Mason has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner, with certain restrictions.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. The license of Sheryl L. Mason, L.P.N., to practice practical nursing is hereby REINSTATED contingent upon verification of her re-entry into the HPMP.
2. Thereafter, the following terms and conditions shall apply:
 - a. Ms. Mason shall comply with all terms and conditions for the period specified by the HPMP.

b. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Sheryl L. Mason and an administrative proceeding shall be held to determine whether her license shall be revoked. Ms. Mason shall be noticed to appear before the Board at such time as the Board is notified that:

- i. Ms. Mason is not in compliance with the terms and conditions specified by the HPMP;
- ii. Ms. Mason's participation in the HPMP has been terminated;
- iii. There is a pending investigation or unresolved allegation against Ms. Mason involving a violation of law, regulation, or any term or condition of this order.

3. Upon receipt of evidence of Ms. Mason's participation and successful completion of the HPMP, the Board, at its discretion, may waive Ms. Mason's appearance before a Committee and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

4. Ms. Mason shall provide evidence of successful completion of a Board-approved refresher course prior to returning to practice.


5. This order shall be applicable to Ms. Mason's multistate licensure privilege, if any, to practice practical nursing. For the duration of this Order, Ms. Mason shall not work outside 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 request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

6. Ms. Mason 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.

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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Mason may, not later than 5:00 p.m., on **October 5, 2015**, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that 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.

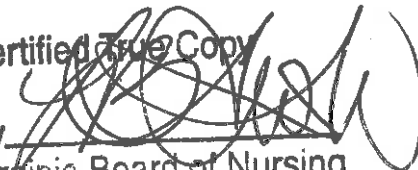
FOR THE COMMITTEE:



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

ENTERED: August 31ST, 2015

This Order shall become final on **October 5, 2015**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 
Virginia Board of Nursing