

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: SHIRLEY M. WILLIAMSON, R.N. REINSTATEMENT APPLICANT
License No.: 0001-188108

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 February 10, 2014, in Henrico County, Virginia, to receive and act upon the application of Shirley M. Williamson for reinstatement of her license to practice professional nursing in Virginia and to inquire into evidence that Ms. Williamson may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Williamson 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. Shirley M. Williamson was issued License No. 0001-188108 to practice professional nursing in the Commonwealth of Virginia on November 13, 2003. Said license expired on September 30, 2009. Ms. Williamson also holds License No. 0002-062626 to practice practical nursing which expired on September 30, 2005. Her primary state of residence is Virginia.
2. By letter dated January 10, 2014, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Williamson notifying her that an informal conference would be held on February 10, 2014. The Notice was sent by certified and first class mail to 522-B Logan Street, South Boston, Virginia 24592, the address of record on file with the Board of Nursing.
3. Ms. Williamson submitted an application for reinstatement of her license to practice professional nursing which was received by the Board on February 28, 2013.

4. During the course of her employment with Evergreen Health and Rehabilitation Center, Winchester, Virginia, on September 23, 2008:

a. Ms. Williamson left her shift early and failed to administer medications or administered medications at times that were not in accordance with the physician's orders.

b. Ms. Williamson failed to notify the physician that Resident A sustained a skin tear. Further, she cleansed the skin tear and applied medication without a physician's order.

c. Ms. Williamson failed to complete ordered treatments.

5. On May 27, 2011, in the Circuit Court for Frederick County, Maryland, Ms. Williamson was convicted of possession or distribution of controlled paraphernalia. She was sentenced to three years incarceration, suspended, and ordered to pay fines and court costs totaling \$345.00, which were paid in full on August 7, 2013.

6. Ms. Williamson was involuntarily hospitalized on May 19, 2012. She was diagnosed with bipolar disorder and polysubstance dependence.

7. On March 13, 2013, in the Circuit Court of Shenandoah County, Virginia, Ms. Williamson pled guilty to possession of a Schedule I or II controlled substance (heroin). Disposition was deferred until April 16, 2014, and Ms. Williamson was placed on supervised probation with terms and conditions to include random drug testing and undergoing a substance abuse evaluation, with successful completion of treatment if necessary.

8. On the application for reinstatement dated February 15, 2013, Ms. Williamson falsely 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, she has impairing mental and chemical dependency conditions as indicated above. Ms. Williamson stated that she thought she was being honest.

9. On November 7, 2013, Ms. Williamson entered a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") wherein she acknowledged impairment from chemical dependency. She entered a Recovery Monitoring Contract on December 2, 2013. Ms. Williamson reported a sobriety date of August 12, 2012, and stated that she attends Alcoholics Anonymous/Narcotics Anonymous meetings two to three times a week. Ms. Williamson reported that her drugs of choice were pain medications, including oxycodone and Dilaudid (hydromorphone), both Schedule II controlled substances. She also admitted to using cocaine and heroin, which she last used in June 2010 and December 2011, respectively. Ms. Williamson attends individual and group therapy at the Southside Community Services Board. She is not prescribed any medications. A report from the HPMP case manager dated January 29, 2014, indicates that Ms. Williamson is in compliance with her contract.

10. Ms. Williamson has been employed at a local restaurant since July 2013.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing ("Regulations").

2. Findings of Fact Nos. 5 – 7 and Finding of Fact No. 9 constitute a violation of § 54.1-3007(6) of the Code.

3. Finding of Fact No. 8 constitutes a violation of § 54.1-3007(1) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Regulations.

4. The Board concludes that Ms. Williamson has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner with certain terms and conditions.

ORDER

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

1. Shirley M. Williamson is hereby REPRIMANDED.

2. The license of Shirley M. Williamson to practice professional nursing in Virginia is hereby REINSTATED contingent upon her continued compliance with all terms and conditions of the HPMP for the period specified by the HPMP.

3. This order shall be applicable to Ms. Williams' multistate licensure privilege, if any, to practice professional nursing. For the duration of this Order, Ms. Williams 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.

4. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Shirley M. Williamson, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Williams shall be noticed to appear before the Board at such time as the Board is notified that:

a. Ms. Williams is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;

b. There is a pending investigation or unresolved allegation against Ms. Williams involving a violation of law or regulation or any term or condition of this Order; or


c. Ms. Williams has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Williams' participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Williams' appearance before the Board and conduct an administrative review of this matter.

5. Ms. Williams shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Regulations Governing the Practice of Nursing.

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. Williams may, not later than 5:00 p.m., on **March 31, 2014**, 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: February 26th, 2014

This Order shall become final on **March 31, 2014**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By _____
Virginia Board of Nursing