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VA BD OF NURSING

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: SHARON W. HERRON, R.N.  
License No.: 0001-132312

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Sharon W. Herron, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Herron's license to practice professional nursing in Virginia.

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

FINDINGS OF FACT

1. Sharon W. Herron, R.N., was issued License No. 0001-132312 to practice professional nursing by the Virginia Board of Nursing on April 29, 1993. Said license is set to expire on January 31, 2014. She also held License No. 0002-042702 to practice as a practical nurse in Virginia, which expired on January 31, 1994, and License No. 034067 to practice as a practical nurse in North Carolina, which expired on December 31, 1990. Her primary state of residence is Virginia.
2. By Consent Order entered August 24, 2011 ("Board's Order"), the Board took no action against Ms. Herron contingent upon her continued compliance with all terms and conditions of the Health Practitioners' Monitoring Program ("HPMP") for the period specified by the HPMP. This Order was based on findings that Ms. Herron diverted Dilaudid (hydromorphone, Schedule II) from her workplace, and that she tested positive for barbiturates and submitted several dilute urine samples for toxicology screening in violation of her Participation Contract and Recovery Monitoring Contract with the HPMP.
3. Ms. Herron submitted a letter to the HPMP, which was received on February 22, 2013, resigning from the program due to financial and health issues. By letter from the HPMP dated March 28,

2013, it was noted that Ms. Herron was otherwise compliant with her program contract, and that her letter of resignation was accepted.

### **CONCLUSIONS OF LAW**

Finding of Fact No. 3 constitutes a violation of Term No. 1 of the Board's Order and § 54.1-3007(6) of the Code of Virginia (1950), as amended ("Code").

### **CONSENT**

Sharon W. Herron, R.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 Conclusion of Law contained herein and waives her right to contest such Findings of Fact and Conclusion of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice professional 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 The Board ACCEPTS the VOLUNTARY SURRENDER for INDEFINITE SUSPENSION of Sharon W. Herron's license to practice professional nursing in the Commonwealth of Virginia.

2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Herron 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. Herron 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 §§ 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:

Jane Ingalls  
Jane Ingalls, R.N., Ph.D.  
President, Virginia Board of Nursing

ENTERED: Jan. 28, 2014

SEEN AND AGREED TO:

Sharon W. Herron R.N.  
Sharon W. Herron, R.N.

COMMONWEALTH OF VIRGINIA,  
COUNTY/CITY OF King George, TO WIT:

Subscribed and sworn to before me, Heather M. Straughan a Notary Public, this 16<sup>th</sup> day of January, 2014.

My commission expires 8/31/15.

Registration Number 7117149.

**Heather M. Straughan**  
**Notary Public 7117149**  
**Commonwealth of Virginia**  
**My Commission Expires 08/31/15**

Heather M. Straughan  
NOTARY PUBLIC

Certified True Copy

By [Signature]  
Virginia Board of Nursing