

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: CHEYENNA N. WILKS, R.N.
 License No.: 0001-220404**

ORDER

In accordance with §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on June 18, 2013, in Henrico County, Virginia. Cheyenna N. Wilks, R.N., was not present nor was she represented by legal counsel. Judith Piersall, R.N., B.S.N., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On September 18, 2013, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Wilks was not present nor was she represented by legal counsel.

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

FINDINGS OF FACT

1. Cheyenna N. Wilks, R.N., was issued License No. 0001-220404 to practice professional nursing in Virginia on July 24, 2009. The license is scheduled to expire on August 31, 2015. Ms. Wilks' primary state of residence is Virginia.

2. By letter dated May 23, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Wilks notifying her that an informal conference would be held on June 18, 2013. The Notice was sent by certified and first class mail to 2201 Montgomery Avenue, Woodbridge, Virginia, 22191, the address of record on file with the Board of Nursing. The Notice was also sent to 407 Garrett Street, #B, Charlottesville, Virginia, 22902, a secondary address. The receipt for the Notice sent via certified mail to the address of record was signed by Ms. Wilks and returned to the Board office on May

30, 2013. The Notice sent via first-class mail to the address of record was not returned to the Board office. The Notice sent via certified mail to the secondary address was returned to the Board office marked “Return to Sender/Unable to Forward.” The Notice sent via first-class mail to the secondary address was not returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Wilks, and the informal conference proceeded in her absence.

3. On May 24, 2012, the Board entered an Order affecting Ms. Wilks’ license to practice professional nursing (“Board’s Order”). Specifically, the Board reprimanded Ms. Wilks and took no further action against her license contingent upon her continued compliance with the Health Practitioners’ Monitoring Program (“HPMP”), which she had entered via Participation Contract on September 6, 2011.

4. Term No. 2(a) of the Board’s Order specified that Ms. Wilks shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.

5. On October 19, 2012, Ms. Wilks was dismissed from the HPMP for noncompliance with the urine toxicology screening program. Ms. Wilks had failed to call the drug screen test line on seven occasions between January 2012 and July 2012.

6. Ms. Wilks failed to respond the Department of Health Professions’ investigator’s attempts to contact her in connection with this matter. In February 2013, Ms. Wilks failed to respond to her attorney’s attempt to contact her, which was made at the request of the Department of Health Professions’ investigator.

CONCLUSION OF LAW

Finding of Fact No. 5 constitutes a violation of Term No. 2(a) of the Board’s Order.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Cheyenna N. Wilks, R.N., is hereby REPRIMANDED.
2. License No. 0001-220404 of Cheyenna N. Wilks, R.N., is INDEFINITELY

SUSPENDED.

3. The license will be recorded as suspended and no longer current.

4. At such time as Ms. Wilks 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. Wilks 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.

5. This suspension applies to any multistate privilege to practice professional nursing.

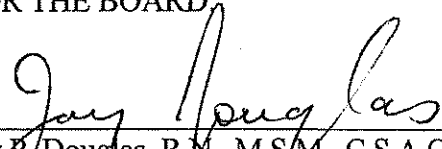
Pursuant to § 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

Since Ms. Wilks failed to appear at the informal conference, this Order shall be considered final. Ms. Wilks has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Wilks has 30 days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

Certified True Copy

By 
Virginia Board of Nursing

FOR THE BOARD:


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

Entered: October 2nd 2013