

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       MICHAEL SHIPMAN, R.N.**  
**License No.: 0001-213592**

**CONSENT ORDER**

The Virginia Board of Nursing ("Board") and Michael Shipman, R.N., as evidenced by his signature hereto, enter into the following Consent Order affecting Mr. Shipman's license to practice professional nursing in Virginia.

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

**FINDINGS OF FACT**

1. Michael Shipman, R.N., was issued License No. 0001-213592 to practice professional nursing by the Virginia Board of Nursing on July 2, 2008. Said license is valid in Virginia only and is set to expire on July 31, 2014. He also holds licenses in the States of Illinois and Indiana. His primary state of residence is Illinois.
2. On April 25, 2012, the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation ("Illinois Board") issued a Consent Order placing Mr. Shipman on indefinite probation for not less than three years based on findings that he had diverted Dilaudid (Schedule II) while employed at Provena St. Joseph Medical Center, Joliet, Illinois, in 2010.
3. On January 30, 2013, the Indiana State Board of Nursing issued an Order placing Mr. Shipman on indefinite probation, requiring him to comply with the terms and conditions of his Illinois probation. This action was based on the Illinois Board's Order and also based on Mr. Shipman's having failed to disclose the fact that he was under investigation in Illinois when he renewed his Indiana nursing license in October 2011.

**CONCLUSIONS OF LAW**

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2), (5), (6), and (7) of the Code of Virginia (1950), as amended (“Code”) and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing.
2. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(7) of the Code.

**CONSENT**

Michael Shipman, R.N., by affixing his signature hereon, agrees to the following:

1. He has been advised to seek advice of counsel prior to signing this document;
2. He acknowledges that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. He acknowledges that he 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 him;
4. He waives all such right to an informal conference;
5. He admits to the Findings of Fact and Conclusions of Law contained herein and waives his right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. He consents to the entry of the following Order affecting his 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. Michael Shipman, R.N., shall be placed on INDEFINITE PROBATION subject to the following

terms and conditions:

- a. The period of probation shall begin on the date that this Order is entered and shall end at such time as Mr. Shipman provides evidence that he has been released from the period of probation imposed by the Order of the Illinois Board dated April 25, 2012.
  - b. Mr. Shipman shall comply with the terms and conditions of the Order of the Illinois Board. Mr. Shipman shall advise this Board in writing of any change in that Order or in his status with the Illinois Board within ten calendar days of such change. Mr. Shipman shall execute any release form necessary for authorizing free communication and sharing of documents between this Board and the Illinois Board.
2. The license shall be reinstated without restriction upon completion of the probation terms unless there is a pending investigation or unresolved allegation involving a violation of law or regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely until such time as the Board makes a case decision in accordance with the Administrative Process Act (§ 2.2-4000 *et seq.* of the Code) and § 54.1-2400(9) of the Code.
  3. Mr. Shipman shall maintain a course of conduct in his capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.
  4. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Mr. Shipman and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.
- 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:

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

ENTERED: September 24, 2013

SEEN AND AGREED TO:

MS  
Michael Shipman, R.N.

COMMONWEALTH OF VIRGINIA,  
COUNTY/CITY OF JACKSON, TO WIT:  
Carbondale, IL

Subscribed and sworn to before me, Michelle Rutherford, a Notary Public, this 10<sup>th</sup> day of September, 2013.

My commission expires Oct. 30, 2016.

Registration Number \_\_\_\_\_

Michelle Rutherford  
NOTARY PUBLIC



Certified True Copy

By [Signature]  
Virginia Board of Nursing