

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

**CHERYL B. EVANS, R.N.
MULTISTATE PRIVILEGE REINSTATEMENT APPLICANT**

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 19, 2013, in Henrico County, Virginia, to receive and act upon Cheryl B. Evans’ application for reinstatement of her multistate privilege to practice professional nursing in Virginia and to inquire into evidence that Ms. Evans may have violated certain laws and regulations governing professional nursing practice. Ms. Evans was not present and was not represented by counsel.

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

FINDINGS OF FACT

1. Cheryl B. Evans was issued License No. 0001-077837 to practice professional nursing in the Commonwealth of Virginia on September 10, 1980. Said license expired on October 31, 2006. Ms. Evans currently holds License No. 153880 to practice professional nursing in North Carolina. By Order of the Board dated December 4, 2008, Ms. Evans’ multistate privilege to practice professional nursing in Virginia was indefinitely suspended for not less than two years. Ms. Evans’ primary state of residence is North Carolina.

2. By letter dated July 24, 2013, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Evans notifying her that an informal conference would be held on August 19, 2013. The Notice was sent by certified and first class mail to 798 Hwy 700, Pelham, North Carolina, 27311, the address of record on file with the Board of Nursing. The receipt for the Notice sent via certified mail was signed by Ms.

Evans and returned to the Board office on August 1, 2013. The Notice sent via first-class mail was not returned to the Board office. Ms. Evans submitted a letter to the Board, which was received on August 13, 2013, in which she stated that she would not attend the informal conference. The Committee Chair concluded that adequate notice was provided to Ms. Evans and the informal conference proceeded in her absence.

3. Ms. Evans submitted an application for reinstatement of her multistate privilege to practice professional nursing, which was received by the Board on March 1, 2013.

4. On April 30, 2009, Ms. Evans was convicted in the Circuit Court of the City of Danville, Virginia, of seven counts of obtaining drugs by fraud, all misdemeanors involving moral turpitude.

5. On June 10, 2010, the North Carolina Board of Nursing placed Ms. Evans on probation and issued her a probationary license to practice professional nursing.

6. Ms. Evans' probation was terminated on September 27, 2011, and she currently has an unrestricted license in North Carolina.

7. In her letter to the Board, which was received on August 13, 2013, she stated she could not attend the informal conference due to work scheduling, but acknowledged her previous mistakes.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(4) of the Code.
2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(7) of the Code.
3. The Board concludes that Ms. Evans has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner.

ORDER

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

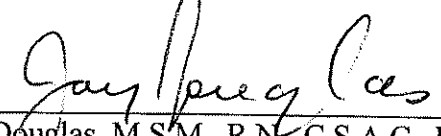
1. The multistate privilege of Cheryl B. Evans, R.N., to practice professional nursing is hereby REINSTATED without restriction.

2. Ms. Evans 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 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. Evans may, not later than 5:00 p.m., on **October 15, 2013**, notify Jay P. Douglas, 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.

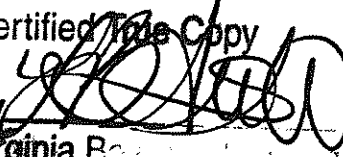
FOR THE COMMITTEE:



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

ENTERED: September 9th 2013

This Order shall become final on **October 15, 2013**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 
Virginia Board of Nursing