

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: SHIRLEY K. JONES, L.P.N.
License No.: 0002-035141

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 8, 2013, in Henrico County, Virginia, to inquire into evidence that Shirley K. Jones, L.P.N., may have violated certain laws and regulations governing practical nursing practice in Virginia. Ms. Jones was 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. Shirley K. Jones, L.P.N., was issued License No. 0002-035141 to practice practical nursing in the Commonwealth of Virginia on November 30, 1984. Said license expires on September 30, 2013. Ms. Jones’ primary state of residence is Virginia.
2. By letter dated July 12, 2013, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Jones notifying her that an informal conference would be held on August 8, 2013. The Notice was sent by certified and first class mail to 457 Upshaw Road, Aylett, Virginia, 23009, the address of record on file with the Board of Nursing.
3. On February 5, 2013, Ms. Jones was hospitalized at St. Mary’s Hospital, Richmond, Virginia, for treatment of alcohol abuse, suicidal ideation and depression.

4. Ms. Jones stated at the informal conference that she is an alcoholic but that she has been sober since the date of her admission to St. Mary's. Ms. Jones stated that she used alcohol to self-medicate and that her alcohol use became a problem in the year leading up to her hospitalization.

5. Ms. Jones attended eight weeks of intensive outpatient treatment after she left St. Mary's Hospital. She did not attend the aftercare program because of financial concerns. Ms. Jones not currently in counseling or attending any substance abuse or mental health treatment. She stated at the informal conference that she is not opposed to enrolling in the Health Practitioners' Monitoring Program, but that she does not feel that she needs it.

6. Ms. Jones currently takes Celexa for depression and trazodone for sleep. These medications are prescribed by her primary care physician.

7. Ms. Jones is not currently employed.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of 54.1-3007(6) of the Code.

ORDER

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

1. The Committee shall TAKE NO ACTION at this time, contingent upon Ms. Jones' compliance with the following terms and conditions:

a. Ms. Jones shall enter into the Health Practitioners' Monitoring Program ("HPMP"), and shall have proof of entry into a Contract with the HPMP provided to the Board within 60 days of the date this Order is entered.

b. Thereafter, Ms. Jones shall continue to comply with all terms and conditions of the HPMP for the period specified by the HPMP.

2. This order shall be applicable to Ms. Jones' multistate licensure privilege, if any, to practice practical nursing. For the duration of this Order, Ms. Jones 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 Ms. Jones wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

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

- a. Ms. Jones has failed to make application to the HPMP;
- b. Ms. Jones is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
- c. There is a pending investigation or unresolved allegation against Ms. Jones involving a violation of law or regulation or any term or condition of this Order; or
- d. Ms. Jones has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Jones' participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Jones' appearance before the Board and conduct an administrative review of this matter.

4. Ms. Jones shall maintain a course of conduct in her capacity as a practical 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. Jones may, not later than 5:00 p.m., on September 30, 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:

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

ENTERED: August 26, 2013

This Order shall become final on September 30, 2013, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By [Signature]
Virginia Board of Nursing