

VIRGINIA

BEFORE THE BOARD OF NURSING

IN RE: SHARON D. ALLS, L.P.N., R.N. APPLICANT

ORDER

Pursuant to § 2.2-4019, § 2.2-4021 and § 54.1-110 of the Code of Virginia (1950), as amended, (the "Code"), an informal conference was held before a Special Conference Committee of the Board of Nursing (the "Committee") on October 12, 2004, in Henrico County, Virginia, to review the compliance of Sharon D. Alls, L.P.N., R.N. Applicant with the Order of the Board of Nursing entered July 14, 2003, and to receive and act upon the application of Ms. Alls to take the examination for licensure as a professional nurse in the Commonwealth of Virginia. Ms. Alls was present and was not represented by counsel.

Upon consideration of the evidence presented, the Committee adopted the following Findings of Facts and Conclusions of Law.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Sharon D. Alls, L.P.N., R.N. Applicant, holds license No. 0002-040609 to practice practical nursing in the Commonwealth of Virginia, said license shall expire January 31, 2005. By Order of the Board of Nursing dated July 14, 2003, ("Board's Order") Ms. Alls was placed on probation.
2. By application received March 24, 2004, Ms. Alls applied for licensure by examination as a professional nurse in the Commonwealth of Virginia.
3. During the Course of her employment at Edgemont Rehabilitation and Recovery Center, Wytheville, Virginia:

- a. Ms. Alls violated Term numbers 2, 5 and 9 of the Board's Order, in that:
- i. Performance evaluations were required, at her direction, to be provided to the Board of Nursing ("Board") within sixty (60) days of the final entry of the Board's Order, followed by reports due at the end of March, June, September, and December until the end of her probation period. All of Ms. Alls' evaluations have been received late in violation of Term numbers 2 and 5 of the Board's Order, in that:
    - a) The evaluations due Oct. 18, 2003, and December 31, 2003, were received January 20, 2004.
    - b) The evaluation due March 31, 2004, was received April 29, 2004.
    - c) The evaluation due June 30, 2004, was received August 3, 2004.
  - ii. Ms. Alls was required to send quarterly self-reports at the same time as the performance evaluations. She failed to send in two of her self reports within the probation guidelines, in violation of Term numbers 2 and 9 of the Board's Order, in that:
    - a) Her quarterly self-report due October 18, 2003, was received October 10, 2003.
    - b) Her quarterly self-report due June 30, 2004 was received July 27, 2004.

Sharon D. Alls, L.P.N., R.N. Applicant

4. On or about February 20, 2003, as a result of disciplinary action, Ms. Alls surrendered her license to practice as a practical nurse in the State of North Carolina. As a result of the surrender of her license, the North Carolina Board of Nursing ("North Carolina Board") required Ms. Alls fulfill certain terms and conditions to be considered for reinstatement. Ms. Alls has not taken the North Carolina Board approved Ethical/Legal Decision Making Course required to be considered for reinstatement of her license. Therefore, she is not eligible for licensure in North Carolina. Ms. Alls stated to the Committee that she has contacted the North Carolina Board and made arrangements to complete the course. However, Ms. Alls stated that she has no plans to practice in North Carolina.
5. The Committee concludes that Ms. Alls meets the requirements of § 54.1-3017 and § 54.1-3018 of the Code.

**ORDER**

On the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS that the application for licensure as a professional nurse of Sharon D. Alls, L.P.N., R.N. Applicant, be and here is, APPROVED, and Ms. Alls is hereby CONTINUED on PROBATION under the following terms and conditions:

1. The period of probation shall begin on the date that this Order is entered and shall end upon completion of two (2) years of employment as a professional nurse or a practical nurse. The licenses of Ms. Alls shall be reinstated without restriction at the completion of the probationary period without a hearing unless there is a pending investigation or unresolved allegation involving a violation of law,

regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 2.2-4000.A, et seq., of the Code of Virginia (1950), as amended.

2. Written reports are required by this Order and shall be sent to the Board office with the first report being received no later than sixty (60) days following the date that this Order is final. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends, to include:
  - a. Performance Evaluations shall be provided, as detailed below.
  - b. "Self-Reports" shall be provided, as detailed below.
3. Ms. Alls shall inform the Board in writing within ten (10) days of the date she begins nursing practice, or changes employment, or any interruption in nursing practice occurs, and she shall provide the name and address of the employer.
4. Ms. Alls shall inform her current nursing employer and each future nursing employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order. If Ms. Alls is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.
5. Performance Evaluations shall be provided, at the direction of Ms. Alls, by all nursing employer(s).
6. Ms. Alls shall practice nursing only in a supervised employment setting satisfactory

Sharon D. Alls, L.P.N., R.N. Applicant

to the Board during the probationary period. This employment setting shall provide on-site supervision by a physician or professional nurse who works the same shift, and holds an unrestricted license. For all current nursing employment, and before beginning or changing nursing employment during this period, Ms. Alls shall have current and all prospective employers provide a written description of the employment setting to the Board office for approval.

7. Ms. Alls shall submit quarterly "Self-Reports" which include a current address, telephone number, and all current employment. This report shall also include any changes in employment status, as required in Term No. 2.
8. While Ms. Alls is employed as a professional nurse or a licensed practical nurse, the time she works in either capacity shall apply to this Order.
9. Ms. Alls as a professional nurse or a licensed practical nurse shall conduct herself in compliance with the requirements of Title 54.1, Chapter 30 of the Code of Virginia (1950), as amended, and the Board of Nursing Regulations.
10. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license(s) of Ms. Alls, and an administrative proceeding shall be held to decide whether Ms. Alls' license(s) shall be revoked.
11. In the event that Ms. Alls relocates to North Carolina, she additionally must comply with the terms of her Probation imposed on her by the North Carolina Board of Nursing that are in effect at the time of entry of this Order.

This order shall be applicable to Ms. Alls' multistate licensure privileges, if any, to practice professional or practical nursing in the Commonwealth of Virginia. It is further ordered that for

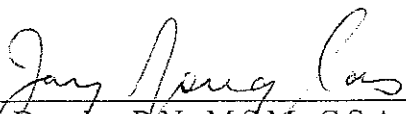
Sharon D. Alls, L.P.N., R.N. Applicant

the duration of this order, Ms. Alls may not work outside of 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 the respondent wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

Pursuant to Sections 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.

If Ms. Alls does not consent to the Committee's decision and desires a hearing before the Board or a panel thereof, she shall notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, in writing at 6603 West Broad Street, Fifth Floor, Richmond, Virginia 23230-1717 within thirty-three (33) days from the date of entry of this Order. This Order shall become final upon the expiration of the thirty-three (33) day period unless a request for a formal hearing is received within such time. Upon receiving timely request for a hearing, the Board or a panel thereof shall then proceed with a hearing as provided in § 2.2-4020 and § 2.2-4021 of the Code.

FOR THE BOARD

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

Entered: December 2<sup>nd</sup>, 2004

Sharon D. Alls, L.P.N., R.N. Applicant

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed on this date to Ms. Sharon D. Alls, L.P.N., R.N. Applicant, at 88 Brookstone Ct., Apt. 20, Galax, Virginia, 24333-4285

*Jay Douglas*

Jay R. Douglas, R.N., M.S.M., C.S.A.C.  
Executive Director for the  
Board of Nursing

*December 2<sup>nd</sup>, 2004*

DATE