

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: MARY BRYANT, L.P.N. REINSTATEMENT APPLICANT**  
**License No.: 0002-076795**

**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 October 3, 2011, in Henrico County, Virginia, to receive and act upon Mary Bryant’s application for reinstatement of her license to practice as a practical nurse in Virginia, and to inquire into evidence that Ms. Bryant may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Bryant was present and was not represented by legal counsel. Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. Mary Bryant was issued License No. 0002-076795 to practice as a practical nurse in the Commonwealth of Virginia on September 21, 2007. Said license was suspended by an Order of the Board entered on May 27, 2010. This action was due to Ms. Bryant’s mental health issues and the professional opinion of her psychiatrist that she was not able to practice safely due to the stress of her mental illness at that time. Her primary state of residence is Virginia.
2. Ms. Bryant submitted an application for reinstatement of her license to practice as a practical nurse which was received by the Board on March 23, 2011.
3. By letter dated September 7, 2011, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Bryant notifying her that an informal conference would be held on October 3, 2011. The Notice was sent by certified and first class mail to 3521 Valley View Avenue NW, Roanoke, Virginia 24012, the address of record on file with the Board of Nursing.

4. Ms. Bryant has mental health diagnoses which require medication and treatment, including bipolar disorder, panic disorder, post-traumatic stress disorder and dependent personality/borderline personality features.

5. At the informal conference, Ms. Bryant reported that she is no longer under the stress that caused her inability to safely function in the workplace. The Committee also received documentation from the same psychiatrist that urged Ms. Bryant’s suspension, who now states that Ms. Bryant’s condition is currently stable and that under certain provisions, she could safely return to work. The suggested provisions include Ms. Bryant remaining active in treatment, not working as a charge nurse, and limiting her work hours to 40 hours per week and not working any double shifts. Ms. Bryant’s psychiatrist further stated that he thought that participation in the Health Practitioners’ Monitoring Program would be beneficial for her. Additionally, Ms. Bryant’s therapist agreed that Ms. Bryant was ready to return to work.

6. Ms. Bryant stated that her current medications are Geodon, Klonopin, Lamictal, Prozac and Xanax.

7. Ms. Bryant submitted documentation of completion of 15 hours of continuing education.

#### **CONCLUSIONS OF LAW**

1. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code.

2. Based on the above Findings of Fact, the Committee concludes that Ms. Bryant is a candidate for the Health Practitioners’ Monitoring Program (“HPMP”).

3. Ms. Bryant otherwise meets the requirements for reinstatement of her license to practice practical nursing.

#### **ORDER**

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

1. The license of Mary Bryant to practice practical nursing in the Commonwealth of Virginia is hereby REINSTATED contingent upon proof of Ms. Bryant's entry into the Health Practitioners' Monitoring Program ("HPMP"). Thereafter, Ms. Bryant shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.

2. This order shall be applicable to Ms. Bryant's multistate licensure privilege, if any, to practice practical nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Bryant 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 she 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. Bryant, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Bryant shall be noticed to appear before the Board at such time as the Board is notified that:

a. She is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;

b. There is a pending investigation or unresolved allegation against her involving a violation of law or regulation or any term or condition of this Order; or


c. She has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Bryant's participation in and compliance with the HPMP, the Board, at its discretion, may waive her appearance before the Board and conduct an administrative review of this matter.

4. Ms. Bryant 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. Bryant may, not later than 5:00 p.m., on **November 29, 2011**, 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:

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

ENTERED: October 27<sup>th</sup>, 2011

This Order shall become final on **November 29, 2011**, unless a request for a formal administrative hearing is received as described above.