

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:**

**LESLIE YOST-SCHOMER, R.N.**

**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 25, 2009, in Henrico County, Virginia, to inquire into evidence that Leslie Yost-Schomer, R.N., may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Yost-Schomer was present and was represented by R. Brent Rawlings, Esquire. Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. Leslie Yost-Schomer, R.N., was issued License No. 0001-125538 to practice professional nursing in the Commonwealth of Virginia on October 4, 1991. Said license is set to expire on January 31, 2011. Ms. Yost-Schomer was issued License No. E50381 to practice professional nursing in Connecticut on September 14, 1987. Said license expired on January 31, 1995.
2. In an interview with a Department of Health Professions investigator on February 24, 2009, and March 5, 2009, Ms. Yost-Schomer stated that she suffered from periods of forgetfulness, post-traumatic stress disorder, auditory hallucination, and anorexia/bulimia, and that she had not received treatment until she was hospitalized at Tucker Pavilion, Richmond, Virginia, on January 25, 2009, due to mental health problems. Ms. Yost-Schomer returned to work within three days of her discharge, believing she was safe to return to practice. However, on February 15, 2009, while off duty, Ms. Yost-Schomer intentionally attempted to cut her wrist with a razor. She was subsequently admitted to Tucker Pavilion for treatment on that date.

3. In an interview with an investigator for the Department of Health Professions on March 9, 2009, Ms. Yost-Schomer's treating psychiatrist stated that he did not believe that Ms. Yost-Schomer was able to work as a nurse due to her mental health problems.

4. At the informal conference, Ms. Yost-Schomer acknowledged that her mental health issues were largely due to stress, and further indicated that a reduced work schedule, a support system, which includes her family, friends and other health professionals, and her increased self-awareness now help her to more effectively deal with stressors. She reported that she continues to see her treating psychiatrist once every four to five weeks, and sees her psychotherapist every other week. Her current medications include Abilify, Effexor, Depakote, and Ativan.

5. Ms. Yost-Schomer's treating psychiatrist appeared at the informal conference and stated that Ms. Yost-Schomer has been under his care since February 12, 2009, with a diagnosis of bipolar disorder with psychotic features. He indicated that Ms. Yost Schomer has stabilized and has consistently complied with treatment orders and prescribed medications. He advised the Committee that he believed Ms. Yost-Schomer was safe to return to the practice of nursing.

### **CONCLUSIONS OF LAW**

1. Findings of Fact Nos. 2 and 3 constitute violations of § 54.1-3007(6) of the Code.
2. Based on the above Findings of Fact, the Committee concludes that Ms. Yost-Schomer is a candidate for the Health Practitioners' Monitoring Program ("HPMP").

### **ORDER**

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

1. The Board shall TAKE NO ACTION contingent upon the following:
  - a. Leslie Yost-Schomer, R.N., shall enter into the Health Practitioners' Monitoring Program within 45 days of the entry of this Order.

b. Thereafter, Ms. Yost-Schomer shall comply with the terms and conditions of the HPMP for the period specified by the HPMP.

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

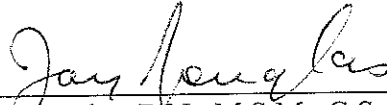
- a. She has failed to make application to the HPMP;
- b. She is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
- c. There is a pending investigation or unresolved allegation against Ms. Yost-Schomer involving a violation of law or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

3. This Order is applicable to Ms. Yost-Schomer's multistate licensure privileges, if any, to practice nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Yost-Schomer shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Board and the Board of Nursing in the party state where she wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

4. Ms. Yost-Schomer 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.

FOR THE COMMITTEE



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

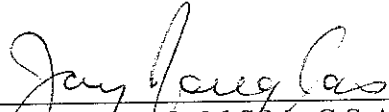
ENTERED: September 24<sup>th</sup>, 2009

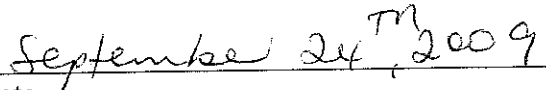
**NOTICE OF RIGHT TO FORMAL HEARING**

If you do not consent to the Committee's decision and desire a hearing before the Board or a panel thereof, you shall notify, in writing, the Executive Director of the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, within 33 days of the date of entry of this Order. This Order shall become final upon expiration of the 33-day period unless a request for a formal hearing is received within such time. Upon receiving a timely request for a hearing, this Order shall be vacated and the Board or a panel thereof shall proceed with a hearing as provided in § 2.2-4020 *et seq.* of the Code.

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing Order was mailed, by certified and regular mail, this day to Leslie Yost-Schomer, at 196 Landing Drive, Lancaster, Virginia 22503. The Order was also mailed, by certified and regular mail, to R. Brent Rawlings, Esquire, at McGuire Woods LLP, One James Center, 901 East Cary Street, Richmond, Virginia 23219-4030.

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

  
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Date