

AUG 08 2014

VA BD OF NURSING

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: **SHERRY D. VANCE, L.P.N. REINSTATEMENT APPLICANT**
License No.: 0002-053802

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Sherry D. Vance, as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Vance's application for reinstatement of her license to practice practical nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Sherry D. Vance was issued License No. 0002-053802 to practice practical nursing by the Virginia Board of Nursing on November 7, 1996. Said license expired on July 31, 2001. She currently holds a professional nursing license in the State of West Virginia. Her primary state of residence is Virginia.
2. Ms. Vance submitted an application for reinstatement of her license which was received by the Board on May 15, 2014.
3. Ms. Vance was disciplined by the West Virginia State Board of Examiners for Licensed Practical Nurses by Consent Order entered October 31, 2012 ("West Virginia Order"). Ms. Vance's license was suspended for three months, and she was placed on terms and conditions for one year, including urine drug screens. This action was based on Ms. Vance's diverting wasted Ativan (lorazepam, Schedule IV) for personal and unauthorized use to attempt to address insomnia.
4. All urine drug screens were negative. Ms. Vance reported that she has no history of drug abuse and is remorseful for her actions.

5. Ms. Vance satisfied all of the terms and conditions of her probation and was released from the terms of the West Virginia Order and issued an unrestricted West Virginia license on April 9, 2014.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(7) of the Code of Virginia (1950), as amended ("Code").
2. Ms. Vance otherwise meets the requirements of § 54.1-3011 of the Code and 18 VAC 90-30-230(B) and (C) of the Regulations Governing the Practice of Nursing.

CONSENT

Sherry D. Vance, by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her application for reinstatement of her license to practice as a practical nurse in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

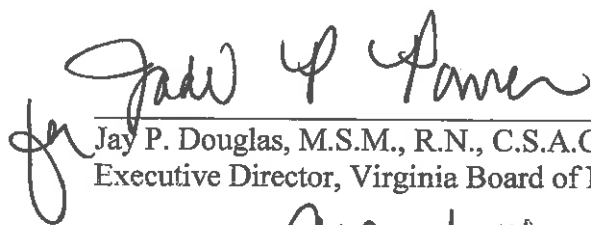
1. The application of Sherry D. Vance for reinstatement of her license to practice as a practical nurse is hereby APPROVED. The Board shall issue Ms. Gardner an unrestricted license to practice as a practical nurse in the Commonwealth of Virginia.

2. Ms. Vance is hereby REPRIMANDED.

3. Ms. Vance 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 upon request.

FOR THE BOARD


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

ENTERED: August 14, 2014

SEEN AND AGREED TO:

Sherry D. Vance
Sherry D. Vance

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Clarke, TO WIT:

Subscribed and sworn to before me, Angela Edwards, a Notary Public, this 5 day of Aug, 2014.

My commission expires 10-31-2016.

Registration Number 4074647.

Angela Edwards
NOTARY PUBLIC

ANGELA EDWARDS
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #4074647
My Commission Expires 10-31-16

Certified True Copy

By [Signature]
Virginia Board Of Nursing