

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: REBECCA ANNE TOLBERT, L.P.N.
License Number: 0002-053554
Issue Date: September 26, 1996
Expiration Date: March 31, 2017
Case Number: 178065

**NOTICE OF INFORMAL CONFERENCE
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that an Informal Conference has been scheduled before the Board of Nursing ("Board") regarding your license to practice practical nursing in the Commonwealth of Virginia.

TYPE OF PROCEEDING:	This is an informal conference before a Special Conference Committee ("Committee") of the Board.
DATE AND TIME:	October 4, 2017 1:00 P.M.
PLACE:	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd Floor - Virginia Conference Center Henrico, Virginia 23233

LEGAL AUTHORITY AND JURISDICTION:

1. This informal conference is being held pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. At the conclusion of the proceeding, the Committee is authorized to take any of the following actions:

- Exonerate you;
- Reprimand you;
- Require you to pay a monetary penalty;
- Place you on probation and/or under terms and conditions;
- Refer the matter to the Board of Nursing for a formal administrative hearing; or
- Offer you a consent order for suspension or revocation of your license in lieu of a formal hearing.

ABSENCE OF RESPONDENT AND RESPONDENT’S COUNSEL:

If you fail to appear at the informal conference, the Committee may proceed to hear this matter in your absence and may take any of the actions outlined above.

RESPONDENT’S LEGAL RIGHTS:

You have the right to the information on which the Committee will rely in making its decision, to be represented by counsel at this proceeding, to subpoena witnesses and/or documents, and to present relevant evidence on your behalf.

INFORMAL CONFERENCE MATERIALS:

Enclosed is a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

FILING DEADLINES:

Deadline for filing materials: **September 27, 2017**. Submit 5 copies of all documents you want the Board to consider to Lakisha Goode, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.

REQUEST FOR A CONTINUANCE

Absent exigent circumstances, such as personal or family illness, a request for a continuance after **September 27, 2017**, will not be considered. If you obtain counsel, you should do so as soon as possible, as a motion for a continuance due to the unavailability of counsel will not be considered unless received by **September 27, 2017**.

STATEMENT OF ALLEGATIONS

The Board alleges that:

1. At all times relevant hereto, Rebecca Anne Tolbert, L.P.N., was licensed to practice practical nursing in the Commonwealth of Virginia.
2. Rebecca Anne Tolbert, L.P.N., violated Virginia Code § 54.1-3007(6) and Term Number 1 of the Board's Order entered November 19, 2014, which required that she continue complying with the terms and conditions of the Health Practitioners' Monitoring Program ("HPMP"), in that on or about December 5, 2016, she was urgently dismissed from the HPMP for failing to comply with her toxicology screenings. Specifically, Ms. Tolbert failed to call the drug test line seven times between August 14, 2015 and November 25, 2016, and she missed screening six times between May 24, 2016, and November 9, 2016.
3. Ms. Tolbert violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice practical nursing due to alcohol abuse. On or about March 4, 2015, she was convicted of driving while intoxicated, second offense within five to ten years, a misdemeanor, in the Accomack, Virginia, General District Court.



Jodi Power, R.N., J.D.
Deputy Executive Director
Virginia Board of Nursing

September 6, 2017
Date