

BEFORE THE COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE

IN RE: **NICOLE RENEE COFER, L.N.P.**  
**License Number:** 0024-168302  
**Prescriptive Authority Number:** 0017-139420  
**Expiration Date:** May 31, 2018  
**Case Number:** 176257

AMENDED NOTICE OF INFORMAL CONFERENCE BEFORE  
AN AGENCY SUBORDINATE  
AND STATEMENT OF ALLEGATIONS

You are hereby notified that an informal conference has been scheduled before an Agency Subordinate of the Committee of the Joint Boards of Nursing and Medicine ("Committee of the Joint Boards") regarding your license to practice as a nurse practitioner in the Commonwealth of Virginia.

<b>TYPE OF PROCEEDING:</b>	This is an informal conference before an Agency Subordinate of the Committee of the Joint Boards.
<b>DATE AND TIME:</b>	August 3, 2017 10:00 a.m.
<b>PLACE:</b>	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 <sup>nd</sup> 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. After consideration of all information, the Agency Subordinate is authorized to take any of the following actions:
  - If the Agency Subordinate finds that there is insufficient evidence to warrant further action or that the charges are without foundation, notify you by mail that your record has been cleared of any charge which might affect your right to practice as a nurse practitioner in the Commonwealth;
  - Recommend findings of fact, conclusions of law and a sanction, to include a reprimand, placing you on probation with terms, suspension or revocation of your license, or imposing a monetary penalty pursuant to § 54.1-2401 of the Code.

Further, the Agency Subordinate may refer this matter for a formal administrative proceeding pursuant to Virginia Code § 2.2-4020.

**Board's Review of Agency Subordinate's Recommended Decision**

If you **appear in person or by counsel at the informal conference**, the recommendation of the Agency Subordinate will be presented to a quorum of the Committee of the Joint Boards. The Committee of the Joint Boards may accept or modify the recommendation, or reject the recommendation and refer the case to a formal hearing. If you do not agree with the decision of the Committee of the Joint Boards, you have the right to a formal administrative hearing before the Committee of the Joint Boards.

If you **fail to appear in person or by counsel at the informal conference**, the recommendation of the Agency Subordinate will be presented to a quorum of the Committee of the Joint Boards. The Committee of the Joint Boards may accept or modify the recommendation, or reject the recommendation and refer the case to a formal hearing. The Committee of the Joint Boards' decision regarding the agency subordinate's recommendation is a final order that can only be appealed to circuit court as provided by Rule 2A:2 of the Supreme Court of Virginia.

**ABSENCE OF RESPONDENT AND RESPONDENT'S COUNSEL:**

If you fail to appear at the informal conference, the Agency Subordinate 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 Agency Subordinate will rely in making a 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 considered by the Agency Subordinate 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: **July 6, 2017**. Submit 5 copies of all documents you want the Committee of the Joint Boards to consider to Linda Kleiner, 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 **July 6, 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 **July 6, 2017**.

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## STATEMENT OF ALLEGATIONS

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The Committee of the Joint Boards alleges that:

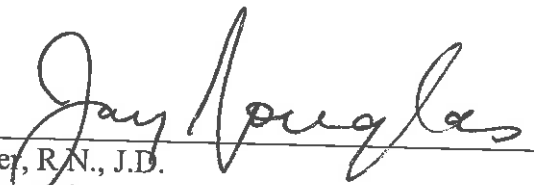
1. At all times relevant hereto, Nicole Renee Cofer, L.N.P., was licensed to practice as a nurse practitioner in the Commonwealth of Virginia.
2. Ms. Cofer violated Virginia Code § 54.1-3007(6) and 18 VAC 90-30-220(4) and (5) of the Regulations Governing the Licensure of Nurse Practitioners ("Regulations") in that Ms. Cofer is unsafe to practice as a nurse practitioner due to mental illness and substance abuse, as evidenced by the following:
  - a. On or about September 12, 2016, Ms. Cofer was hospitalized at Eastern State Hospital pursuant to a temporary detention order following attempted suicide by consuming prescribed Adderall (amphetamine and dextroamphetamine, C-II) and cocaine. She was discharged on or about September 19, 2016, with diagnoses of major depressive disorder, recurrent episode, severe and cocaine use disorder.
  - b. From on or about January 14, 2014 to September 29, 2016, Ms. Cofer received psychotherapy at The Relationship Center, Norfolk, Virginia, for bipolar disorder. Therapeutic services were terminated due to noncompliance.
3. Ms. Cofer violated Virginia Code § 54.1-3007(5) and 18 VAC 90-30-220(4) and (5) of the Regulations in that during the course of her employment with Quietly Radiant Psychiatric Services, Virginia Beach, Virginia:
  - a. On or about August 29, 2016, Ms. Cofer failed to report to work to treat her scheduled patients.

b. On or about September 7, 2016, at approximately 4:00pm, Ms. Cofer was found to be crying with her head on her desk. She refused to leave her office or see her remaining patients and subsequently left without any notification to office staff.

c. On or about September 8, 2016, Ms. Cofer failed to report to work to treat her scheduled patients. Further, she did not return to work after this date.

4. Ms. Cofer violated Term No. 2 of the Order of the Committee of the Joint Boards of Nursing and Medicine entered October 23, 2013, which took no further action against her contingent on her entry into and compliance with the Health Practitioners' Monitoring Program ("HPMP"), in that on or about May 17, 2017, she was dismissed from the HPMP for noncompliance with the HPMP. Specifically, she practiced with Hampton Mental Health Associates, and wrote prescriptions, without HPMP approval.

Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Cofer's health records or health services.

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

August 1, 2017  
Date