



COMMONWEALTH of VIRGINIA

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Director

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Executive Director

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AMENDED NOTICE OF INFORMAL CONFERENCE

October 9, 2009

Abigail Lebron-Cannon, L.P.N., R.N. Applicant
169 Paladin Drive
Virginia Beach, Virginia 23452

sent by overnight mail

Re: Virginia License No.: 0002-074336
Expiration Date: December 31, 2009

Dear Ms. Lebron-Cannon:

This is official notification that an informal conference will be held pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(7) and (10) of the Code of Virginia (1950), as amended ("Code"), on **October 22, 2009, at 10:30 a.m.**, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Richmond, Virginia 23233. You may be represented by an attorney at the conference. This informal conference will be convened as a public meeting pursuant to § 2.2-3700 *et seq.* of the Code.

The Informal Conference Committee ("Committee"), which is comprised of at least two members of the Virginia Board of Nursing ("Board"), will consider your application for licensure by examination as a professional nurse and will inquire into allegations that you may have violated certain laws and regulations governing practical nursing in Virginia.

Specifically:

1. You may have violated § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(e) and (f) of the Regulations Governing the Practice of Nursing in that, by your own admission, during the course of your employment with Westminster Canterbury on Chesapeake Bay, Virginia Beach, Virginia, on or about April 18 and 19, 2009, you documented administering medications to several patients when you had not done so.

2. You may have violated § 54.1-3007(6) of the Code in that you may be unsafe to practice as a practical nurse due to mental illness. By your own admission in a letter dated May 8, 2009, your mental disorders influenced your judgment "resulting in poor decision making at work."

The burden rests on you, as the applicant, to demonstrate that you meet the requirements of § 54.1-3017(6) of the Code.

In its deliberations, the Committee may use the Sanction Reference Points System, as contained in the Sanction Reference Manual. The manual, which is a guidance document of the Board, may be accessed at <http://www.dhp.virginia.gov/nursing>. Please click on *Guidance Documents*, then select #90-7. You may also request a paper copy from the Board office by calling (804) 367-4515.

Since the allegations listed above involve impairment, please be advised that you may make application to the Health Practitioners' Monitoring Program ("HPMP"), which is available to all health care practitioners licensed in Virginia. A brochure about the HPMP is enclosed. Should you enter into a written agreement with the HPMP prior to your informal conference, the Committee will take that into consideration when deciding your case.

After the informal conference, the Committee is authorized by § 54.1-2400(10) of the Code to take any of the following actions with regard to your practical nursing license:

- If the Committee finds that there is insufficient evidence to warrant further action or that the charges are without foundation, the Committee shall notify you by mail that your record has been cleared of any charge which might affect your right to practice practical nursing in the Commonwealth;
- The Committee may place you on probation for such time as it may designate and subject to such terms and conditions as it may deem appropriate;
- The Committee may reprimand you; or
- The Committee may impose a monetary penalty.

Further, the Committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing. If the Committee is of the opinion that suspension or revocation of your practical nursing license may be justified, the Committee may offer you a Consent Order for suspension or revocation in lieu of a formal hearing.

The Committee may take any of the following actions with regard to your application for licensure as a professional nurse:

- Approve your application for licensure by examination;
- Recommend to the Board that your application be approved with a reprimand, a monetary penalty, or terms and conditions, which may include placing you on probation; or
- Recommend to the Board that your application be denied.

Further, the Committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing.

The recommendation of the committee will be presented to a quorum of the Board. The Board may accept or modify the recommendation, or reject the recommendation and move the case to a formal hearing. If you do not agree with the decision of the Board, you have the right to a formal administrative hearing before the Board.

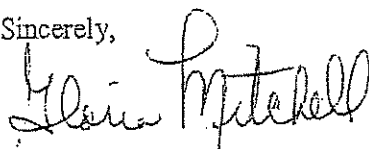
If you fail to appear at the informal conference, the Committee may proceed to hear the case in your absence and may take any of the actions outlined above. At least ten days prior to the scheduled date of the conference, please inform this office at (804) 367-4515, or in writing at the address listed above, of your telephone number and whether you intend to appear at the informal conference.

To facilitate this proceeding, you should submit five copies of any documents you wish the Committee to consider to the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, by October 15, 2009. Your documents may not be submitted by facsimile or email.

You have the right to the information on which the Board will rely in making its decision. Therefore, I have enclosed 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 original 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.

Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of nursing and other healing arts in Virginia cited in this notice, can be found on the Internet at <http://leg1.state.va.us>. To access this information, please click on the *Code of Virginia* for statutes and *Virginia Administrative Code* for regulations.

Sincerely,



Gloria D. Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director, Discipline

GDM/bl
Enclosures

cc: Sandra Whitley Ryals, Director, Department of Health Professions
Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Special Conference Committee Members
LaRhonda J. Carter, Adjudication Specialist
June Morrison, Senior Investigator (Case No. 125758)
Peggy Wood, Monitoring Program Manager