



COMMONWEALTH of VIRGINIA

Robert A. Nebiker
Director

Department of Health Professions
6603 West Broad Street, 5th Floor
Richmond, Virginia 23230-1712

www.dhp.state.va.us/
TEL (804) 662-9900
FAX (804) 662-9943
TDD (804) 662-7197

Virginia Board of Nursing
Jay P. Douglas, RN, MSM, CSAC
Executive Director

January 29, 2003

Board of Nursing (804) 662-9909
Nurse Aide Registry (804) 662-7310
FAX (804) 662-9512

Ellyn E. Algarin, R.N.
3905 Dupree Lane
Virginia Beach, VA 23456

CERTIFIED MAIL
71064575129435575743

RE: License No. 0001-121823
Expiration: 6/30/2003

Dear Ms. Algarin:

This is official notification that an Informal Conference will be held, pursuant to § 2.2-4019, § 2.2-4021, § 54.1-3010 and § 54.1-2400(10) of the Code of Virginia (1950), as amended, on **February 24, 2003, at 2:00 p.m.**, in the offices of the Department of Health Professions, 6603 West Broad Street, Fifth Floor, Richmond, Virginia.

The Special Conference Committee, which is comprised of two or three members of the Virginia Board of Nursing, will review your compliance with the terms and conditions imposed upon your license to practice as a professional nurse in Virginia, as set forth in an Order of the Board entered September 20, 2001. Specifically:

1. You may have violated § 54.1-3007(2), (3) and (6) of the Code and Term No. 1 of the Board's Order, in that: By your own admission, in the spring of 2002, you relapsed and began drinking alcohol and later began using Ultram (tramadol HCl, Schedule VI), escalating to fifty tablets a day. On or about November 2, 2002, you reported your relapse to the Health Practitioners' Intervention Program.
2. You may have violated § 54.1-3007(2), (3) and (6) of the Code, in that, in June 2002, you obtained an initial prescription from your employer under the auspices that the medication was needed until you could see your regular physician. You then obtained fraudulent prescriptions from various pharmacies by calling in the prescriptions and providing Robin Freeman-Bragg, M.D., as the prescriber.

Virginia Board of Nursing 1903 - 2003

Regulating Nursing - Protecting The Public

Board of Audiology & Speech - Language Pathology - Board of Dentistry - Board of Funeral Directors & Embalmers - Board of Medicine - Board of Nursing
Board of Nursing Home Administrators - Board of Optometry - Board of Pharmacy - Board of Counseling
Board of Physical Therapy - Board of Psychology - Board of Social Work - Board of Veterinary Medicine
Board of Health Professions

- a) Between July 11, 2002 and September 28, 2002, you fraudulently obtained approximately 480 dosage units of Ultram from the Sam's Club Pharmacy, Virginia Beach, Virginia, using your daughter's name as the patient. On or about November 29, 2002, you attempted to obtain another prescription; however, the pharmacist refused to fill it until he received verification from the physician.
- b) Between August 24, 2002 and October 19, 2002, you fraudulently obtained approximately 400 dosage units of Ultram from Kroger Pharmacy #535, Virginia Beach, Virginia, using your daughter's name as the patient. Further, on two occasions, you left the store without paying for the prescriptions.
- c) Between August 31, 2002 and October 16, 2002, you fraudulently obtained approximately 300 dosage units of Ultram from Rite Aid Pharmacy #4386, Virginia Beach, Virginia, under your maiden name "Baranowski."
- d) As a result of the above activity, your employment at Greenbrier OB/GYN was terminated on or about November 1, 2002.

You may be represented by an attorney at the Informal Conference. After the conference, the conference committee is authorized to take the following actions:

1. 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 nursing in the Commonwealth;
2. The committee may place your license on probation with such terms as it may deem appropriate;
3. The committee may reprimand you;
4. The committee may modify a previous Order;
5. The committee may impose a monetary penalty pursuant to § 54.1-2401 of the Code; or
6. The committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing. If the Conference Committee is of the opinion that a suspension or revocation of your license may be justified, the committee may offer you a consent order in lieu of a formal hearing.

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

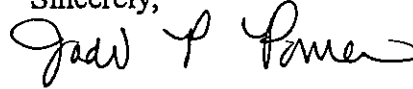
At least ten (10) days prior to the scheduled date of the conference, please inform this office of your telephone number and whether you intend to appear at the conference. This can be done by calling our offices at (804) 662-9950 or by sending us a letter at the address listed above.


You have the right to information, which will be relied upon by the Board in making a decision. Therefore, I have enclosed a copy of the documents, which will be distributed to the members of the Committee and will be considered by the Committee when discussing the allegations with you and when deliberating upon your case. These documents are enclosed only with the original notice sent by certified mail, and must be claimed at the post office. Please bring these documents with you.

If you have any additional documents to be presented to the Conference Committee, please bring five (5) copies of each document with you.

Also, enclosed are copies of the relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws and regulations relating to the practice of nursing in Virginia that are cited in this notice.

Sincerely,



 Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director

JPD/th/dl
Enclosures

cc: Robert A. Nebiker, Director, Department of Health Professions
James L. Banning, Director, Administrative Proceedings Division
Tammie D. Hall, Senior Adjudication Analyst
Ann Tiller, Compliance Manager
Nan Dunaway, Inspector (88327)
Donna Whitney, Intervention Program Manager
Committee Members