

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:            ELLYN WESSELLS ALGARIN, R.N.**  
**REINSTATEMENT APPLICANT**  
**License Number:    0001-121823**  
**Suspension Date:   July 17, 2012**  
**Case Number:        177162**

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

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**You are hereby notified that an Informal Conference has been scheduled before the Board of Nursing ("Board") regarding your application for reinstatement of your license to practice professional nursing in the Commonwealth of Virginia following its suspension by the Board.**

<b>TYPE OF PROCEEDING:</b>	This is an informal conference before a Special Conference Committee ("Committee") of the Board.
<b>DATE AND TIME:</b>	<b>April 13, 2017</b> 10:30 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. The burden rests on you, as the applicant, to demonstrate that you are prepared to resume the safe and competent practice of professional nursing.
3. In considering your application, the Committee will consider evidence that grounds exist to deny your application for reinstatement of your license to practice professional nursing, as more fully set out in the enclosed Statement of Allegations.
4. At the conclusion of the proceeding, the Committee is authorized to take any of the following actions:
  - Approve your application and issue an unrestricted license to practice professional nursing.
  - Approve your application and issue a reprimand, a monetary penalty, and/or a restricted license subject to terms and conditions.

- Deny your application;
- Refer the matter to the Board for a formal administrative hearing.

**ABSENCE OF APPLICANT AND APPLICANT’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.

**APPLICANT’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: **April 5, 2017**. Submit 5 copies of all documents you want the Board to consider to Melvina Baylor, 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 **April 5, 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 **April 5, 2017**.

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**STATEMENT OF ALLEGATIONS**

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The Board alleges that grounds exist to refuse to reinstate the license of Ellyn Wessells Algarin, R.N. to practice professional nursing in that Ms. Algarin violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice professional nursing due to substance abuse and chemical dependency, as evidenced by the following:

1. By her own admission, Ms. Algarin has a history of chemical dependency including abusing opioids and alcohol.
2. In or about June 2015, Ms. Algarin began receiving substance abuse treatment and monitoring at the Trauma Recovery Clinic, Charlie Norwood VA Medical Center, Augusta, Georgia.



Brenda Krohn, R.N., M.S.  
Deputy Executive Director  
Virginia Board of Nursing

March 17, 2017  
Date