



# COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.  
Director

*Department of Health Professions*  
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Virginia Board of Nursing  
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Executive Director

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## NOTICE OF INFORMAL CONFERENCE

May 14, 2010

Ellyn W. Algarin, R.N. Reinstatement Applicant  
P. O. Box 4406  
Leesburg, Virginia 20177

**CERTIFIED MAIL**  
71603901984862943952

Re: VA License No.: 0001-121823  
Suspended: August 27, 2003

Dear Ms. Algarin:

This is official notification that an informal conference will be held pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), on **June 7, 2010, at 1:00 p.m.**, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, 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 Special Conference Committee ("Committee"), which is comprised of at least two members of the Virginia Board of Nursing ("Board"), will receive and act upon your application for the reinstatement of your license to practice professional nursing in the Commonwealth of Virginia, which was suspended by an Order of the Board entered August 27, 2003, and will inquire into allegations that you may have violated certain laws governing nursing practice in Virginia. Specifically:

1. You may have violated § 54.1-3007(4) of the Code in that on or about June 8, 2004, you were convicted of prescription fraud in the Virginia Beach, Virginia, Circuit Court.
2. You may have violated § 54.1-3007(6) of the Code in that you may be unsafe to practice professional nursing due to substance abuse, as evidenced by the following:

a. You acknowledged in your Participation Contract and three Recovery Monitoring Contracts with the Health Practitioners' Intervention Program ("HPMP"), that your chemical abuse and/or dependency may impair your ability to practice as a professional nurse.

b. In April 2009, you relapsed with alcohol and self-reported to the HPMP and to your physician, who you see on a monthly basis for treatment of major depression and opioid dependency.

The burden of providing evidence satisfactory to the Board that you are prepared to resume the competent practice of professional nursing with reasonable skill and safety to patients rests with you.

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

- The Committee may reinstate your license to practice professional nursing in the Commonwealth without restriction;
- The Committee may reinstate your license and place you on probation for such time as it may designate and subject to such terms and conditions as it may deem appropriate, reprimand you, or impose a monetary penalty;
- The Committee may deny your application for reinstatement of your license.

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 may be justified, the Committee may offer you a Consent Order for suspension or revocation in lieu of a formal hearing.

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 May 31, 2010. 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,

A handwritten signature in black ink, appearing to read "Brenda Krohn, R.N., M.S.", written over a horizontal line.

Brenda Krohn, R.N., M.S.  
Deputy Executive Director  
Nurse Aide Registry Manager

BK/fdb

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division  
Special Conference Committee Members  
Cynthia E. Gaines, Adjudication Specialist  
Patricia Sheehan, R.N., B.S., Senior Investigator (Case no. 130455)  
Peggy Wood, Monitoring Program Manager