

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE: NICOLETTE WHITE, L.P.N.**  
**License Number: 0002-087408**  
**Issue Date: July 16, 2012**  
**Expiration Date: March 31, 2017**  
**Case Number: 173155**

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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 license to practice practical nursing in the Commonwealth of Virginia.**

<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>February 2, 2017 10:30 A.M.</b>
<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. At the conclusion of the proceeding, the Committee is authorized to take any of the following actions:

- Exonerate you;
- Reprimand you;
- Require you to pay a monetary penalty;
- Place you on probation and/or under terms and conditions;
- Refer the matter to the Board of Nursing for a formal administrative hearing;
- Offer you a consent order for suspension or revocation of your license in lieu of a formal hearing.

**ABSENCE OF RESPONDENT AND RESPONDENT'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.

**RESPONDENT'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:**

1. Deadline for filing materials: January 26, 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.
2. Deadline for filing motions, including requests for continuance or objections to exhibits, in writing, to Melvina Baylor at the above address: January 26, 2017. NOTE: Failure to object to the distribution prior to the proceeding will not affect your right to contest any information contained in these documents at the proceeding.

**REQUEST FOR A CONTINUANCE**

Absent exigent circumstances, such as personal or family illness, a request for a continuance after **January 26, 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 **January 26, 2017**.

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**STATEMENT OF ALLEGATIONS**

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The Board alleges that:

1. At all times relevant hereto, Nicolette White, L.P.N., was licensed to practice practical nursing in the Commonwealth of Virginia.

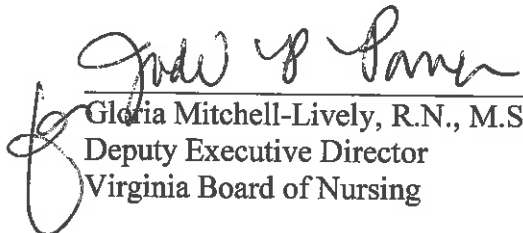
2. Ms. White violated Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-20-300(A)(2)(c), (e) and (f) of the Regulations Governing the Practice of Nursing (“Regulations”) in that during the course of her employment at Kempsville Health and Rehabilitation Center, Virginia Beach, Virginia, Ms. White diverted medications for her personal and unauthorized use, as evidenced by the following: on or about April 6, 2016, Ms. White signed out two oxycodone (C-II) 30mg tablets for Patient A and documented their administration. However, instead of the ordered oxycodone, Ms. White actually administered two Uloric (febuxostat) tablets to Patient A.

3. Ms. White violated Virginia Code § 54.1-3007(2) and 18 VAC 90-20-300(A)(2)(e) of the Regulations as evidenced by the following:

a. On her January 20, 2015 application for employment with Lake Taylor Hospital, Norfolk, Virginia (“LTH”), Ms. White falsely stated that her reason for leaving her employment with Atria Assisted Living, Virginia Beach, Virginia (“Atria”), was that it was “too far of a commute” when, in fact, her employment with Atria was involuntarily terminated for poor documentation practice.

b. On her August 20, 2015 application for employment with Kempsville, Ms. White falsely stated that her reason for leaving her employment with LTH was “in search of better opportunities” when, in fact, her employment was involuntarily terminated on June 30, 2015 for unprofessional conduct. Ms. White also failed to disclose her employment with Atria on this application.

See Confidential Attachment I for the name of the patient referenced above.

  
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Gloria Mitchell-Lively, R.N., M.S.N., M.B.A.  
Deputy Executive Director  
Virginia Board of Nursing

December 30, 2016  
Date