



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions

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

Board of Nursing (804) 367-4515
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NOTICE OF INFORMAL CONFERENCE

January 12, 2016

Marilyn M. Gordon, R.N.
3305 Campbell Avenue
Lynchburg, VA 24501

CERTIFIED MAIL
9414 7266 9904 2028 4607 17

Re: VA License No.: 0001-088197
Expiration Date: March 31, 2017

Dear Ms. Gordon:

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 February 9, 2016, 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 inquire into allegations that you may have violated certain laws and regulations governing professional nursing practice in Virginia.

Specifically, you may have violated § 54.1-3007(6) of the Code in that you may be unsafe to practice nursing due to mental illness, as evidenced by the following:

1. From on or about April 10 through April 14, 2015, you received inpatient psychiatric treatment at Virginia Baptist Hospital, Lynchburg, Virginia for depression and suicidal ideations. Your discharge diagnoses included major depressive disorder with psychotic features versus delusional disorder versus schizoaffective disorder, depressive type.
2. From on or about October 29 through November 3, 2014, you received inpatient psychiatric treatment at Virginia Baptist Hospital for depression, anxiety, and suicidal ideations. Your discharge diagnoses included major depression, adjustment disorder with anxious and mixed features, and psychosis, resolved.

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

3. From on or about October 17 through December 15, 2014, you received treatment at Christian Counseling Services, Lynchburg, Virginia where you were diagnosed with moderate major depressive disorder, recurrent. By your own admission, you stopped attending counseling sessions due to financial limitations.

4. From on or about November 18, 2014 through July 17, 2015, you received treatment at Piedmont Psychiatric Center, Centara Medical Group, Lynchburg, Virginia, for a diagnosis of major depressive disorder with psychotic features.

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. Information 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:

• 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 professional 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;

• 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 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, Henrico, Virginia 23233, by February 4, 2016. 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.

In the event of inclement weather, please be advised that Board of Nursing hearings will be held unless state offices are closed. Please listen to television or radio announcements to provide information about official state closings or delays. If there is a delayed opening, hearings will begin at the time of the agency opening. A recorded announcement pertaining to closings or delays will also be available by calling the main telephone number for the Department of Health Professions at (804) 367-4400.

Sincerely,



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

GML/mrb

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Special Conference Committee Members
Amy E. Weiss, Adjudication Specialist
Laura Pezzulo, Senior Investigator (Case no. 163437)