

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: KIMBERLY ANN HEFFLER, R.N.
License Number: 0001-192328
Issue Date: August 20, 2004
Expiration Date: October 31, 2017
Case Number: 171213

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

You are hereby notified that an Informal Conference has been scheduled before the Board of Nursing (“Board”) regarding your license to practice professional nursing in the Commonwealth of Virginia.

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| TYPE OF PROCEEDING: | This is an informal conference before a Special Conference Committee (“Committee”) of the Board of Nursing. |
| DATE AND TIME: | October 3, 2016 1:00 P.M. |
| PLACE: | Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd 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.

COMMONWEALTH’S EXHIBIT:

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 exhibits: **September 26, 2016**. 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 motions for continuance or objections to exhibits, in writing, to Melvina Baylor at the above address: **September 26, 2016**. 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.

STATEMENT OF ALLEGATIONS


The Board of Nursing alleges that:

1. At all times relevant hereto, Kimberly Ann Heffler, R.N. was licensed to practice professional nursing in the Commonwealth of Virginia.


2. Kimberly Ann Heffler, R.N. violated Virginia Code § 54.1-3007(2), (5) and (6) and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing in that:

a. During the course of her employment with Augusta Health, Fishersville, Virginia, on or about November 12, 2015, she tested positive for oxycodone (C-II), for which she did not have a prescription, during an internal investigation into the possible diversion of a missing needle.

b. On or about March 10, 2016, after being placed on restrictions by her employer, including limited access to narcotic administration, Ms. Heffler obtained and administered a narcotic medication to a patient without authorization.



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



Date