

**BEFORE THE VIRGINIA COMMITTEE OF THE JOINT BOARDS OF NURSING AND
MEDICINE**

IN RE: KIMBERLY MAIGI, L.N.P.
License Number: 0024-171831
0001-254913
Expiration Date: September 30, 2016
September 30, 2016
Case Number: 170147

**NOTICE OF INFORMAL CONFERENCE BEFORE AN AGENCY SUBORDINATE
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that an informal conference has been scheduled before an Agency Subordinate of the Committee of the Joint Boards of Nursing and Medicine (“Committee of the Joint Boards”) regarding your license to practice as a nurse practitioner in the Commonwealth of Virginia.

TYPE OF PROCEEDING:	This is an informal conference before an Agency Subordinate of the Committee of the Joint Boards.
DATE AND TIME:	August 16, 2016 at 9:00 a.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. After consideration of all information, the Agency Subordinate is authorized to take any of the following actions:
 - If the Agency Subordinate finds that there is insufficient evidence to warrant further action or that the charges are without foundation, notify you by mail that your record has been cleared of any charge which might affect your right to practice as a nurse practitioner in the Commonwealth;
 - Recommend findings of fact, conclusions of law and a sanction, to include a reprimand, placing you on probation with terms, suspension or revocation of your license, or imposing a monetary penalty pursuant to § 54.1-2401 of the Code.

Further, the Agency Subordinate may refer this matter for a formal administrative proceeding pursuant to Virginia Code § 2.2-4020.

Committee's Review of Agency Subordinate's Recommended Decision

If you **appear in person or by counsel at the informal conference**, the recommendation of the Agency Subordinate will be presented to a quorum of the Committee of the Joint Boards. The Committee may accept or modify the recommendation, or reject the recommendation and refer the case to a formal hearing. If you do not agree with the decision of the Committee, you have the right to a formal administrative hearing before the Committee.

If you **fail to appear in person or by counsel at the informal conference**, the recommendation of the Agency Subordinate will be presented to a quorum of the Committee. The Committee may accept or modify the recommendation, or reject the recommendation and refer the case to a formal hearing. The Committee's decision regarding the agency subordinate's recommendation is a final order that can only be appealed to circuit court as provided by Rule 2A:2 of the Supreme Court of Virginia.

ABSENCE OF RESPONDENT AND RESPONDENT'S COUNSEL:

If you fail to appear at the informal conference, the Agency Subordinate 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 Agency Subordinate will rely in making a 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 considered by the Agency Subordinate 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: August 9, 2016. Submit 5 copies of all documents you want the Committee to consider to Sylvia Tamayo-Suijk, Committee of the Joint Boards, 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 Sylvia Tamayo-Suijk at the above address: August 9, 2016. NOTE: the failure to object to exhibits does not deprive you of the right to contest their contents at the proceeding.

STATEMENT OF ALLEGATIONS

The Committee of the Joint Boards alleges that:

1. At all times relevant hereto, Kimberly Maigi, L.N.P. was licensed to practice as a nurse practitioner in the Commonwealth of Virginia.

2. Ms. Maigi violated Virginia Code §§ 54.1-2957.01(A) and 54.1-3007(2) and (5) and 18 VAC 90-30-220(3), (4) and (6) of the Regulations Governing the Licensure of Nurse Practitioners in that from August 4, 2014 through October 13, 2015, she wrote prescriptions while employed with the Orthopaedic and Spine Center, Newport News, Virginia, without authorization from the Committee of the Joint Boards of Nursing and Medicine.



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

7-18-2016
Date