

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: LORI ANN JENKINS MILLER, R.N.
License Number: 0001-150855
Issue Date: October 1, 1996
Expiration Date: April 30, 2018
Case Number: 172154

**AMENDED NOTICE OF FORMAL ADMINISTRATIVE HEARING
AND STATEMENT OF ALLEGATIONS**

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

TYPE OF PROCEEDING:	This is a formal administrative hearing before a panel of the Board of Nursing.
DATE AND TIME:	November 17, 2016 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 formal hearing is being held pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. At the conclusion of the proceeding, the Board is authorized to take any of the following actions:

- Exonerate you;
- Reprimand you;
- Require you to pay a monetary penalty;
- Continue you on probation and/or under terms and conditions;
- Suspend your license;
- Revoke your license.

ABSENCE OF RESPONDENT AND RESPONDENT'S COUNSEL:

If you fail to appear at the formal hearing, the Board 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 Board 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 Board and will be considered by the Board 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 formal hearing.**

FILING DEADLINES:

1. Deadline for filing exhibits: **November 4, 2016**. Submit 15 copies of all documents you want the Board to consider to Darlene Graham, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail. Please note that any documentation or evidence that you previously submitted for an informal conference must be resubmitted for consideration by the Board at the formal hearing.

2. Deadline for filing motions, including motions for continuance or objections to exhibits, in writing, to Darlene Graham at the above address: **November 4, 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, Lori Ann Jenkins Miller, R.N. was licensed to practice professional nursing in the Commonwealth of Virginia.

2. Lori Ann Jenkins Miller, R.N. violated Term Number 4 of the Board's Order entered October 22, 2012 ("Board's Order"), which required her to direct all nursing employers to provide the Compliance Division with quarterly performance evaluations by the last day of March, June, September and December, in that the evaluations due September 2013, December 2013 and March 2014, were not received until August 8, 2014. The evaluation due September 30, 2014, was received August 8, 2014. The evaluations due June 30, 2014, and December 31, 2015, were not submitted. The evaluations due December 31, 2014, and September 30, 2015, were submitted late.

3. Ms. Miller violated Term Number 8 of the Board's Order, which required that Ms. Miller not use any alcohol or any mood altering chemical except as prescribed by a health care practitioner with whom she has a bona fide practitioner/patient relationship and for accepted medicinal or therapeutic purposes and further required should she be prescribed any Scheduled II-V controlled medications, a written report from the practitioner was to be provided to the Board within ten days of the date the medication was prescribed. A Prescription Monitoring Profile revealed that between November 3, 2012, and February 8, 2016, Ms. Miller received 149 prescriptions for Schedule II through IV controlled medications written by 25 different physicians, but the Board office received prescription reports for only four of those medications.

4. Ms. Miller violated Term Number 9 of the Board's Order, which required her to attend Alcoholics Anonymous, Narcotics Anonymous or Caduceus recovery support groups acceptable to the

Board one or more times per week, in that Ms. Miller did not attend any group meetings during the months of January 2014 or March 2015.

5. Ms. Miller violated Term Number 12 of the Board's Order, which required that she provide all current and future practitioners with a complete copy of the Order and execute an authorization for disclosure of information form providing unrestricted communication between the Board and any court-appointed probation or parole officers and any consultants designated by the Board, in that Ms. Miller failed to provide complete copies of the Board's Order to practitioners who were not her primary care provider.

6. Ms. Miller violated Term Number 13 of the Board's Order, which required her to submit quarterly self-reports to the Board office by the last day of the months of March, June, September, and December, in that the report due June 30, 2014, was not received until July 7, 2014, the report due September 30, 2014, was not received until November 7, 2014, the report due March 31, 2015, was not received until April 6, 2015, the report due June 30, 2015, was not received until July 7, 2015, the report due September 30, 2015, was not received until October 8, 2015, and the report due December 31, 2015, was not received until February 2, 2016.



Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

October 27th, 2016
Date