

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: **LINDA SUE RAINES, L.P.N.**
 a/k/a Linda Sue Allen Cole

License Number: **0002-052672**
Expiration Date: **April 30, 2016**
Case Number: **173045, 171350, 172262**

**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 Board of Nursing ("Board") regarding your license to practice as a practical nurse in the Commonwealth of Virginia.

TYPE OF PROCEEDING:	This is an informal conference before an Agency Subordinate of the Board of Nursing.
DATE AND TIME:	August 2, 2016 at 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. 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 licensed practical nurse 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.

Board'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 Board. The Board 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 Board, you have the right to a formal administrative hearing before the Board.

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 Board. The Board may accept or modify the recommendation, or reject the recommendation and refer the case to a formal hearing. The Board'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: July 26, 2016. Submit five copies of all documents you want the Board to consider to Dawnyel Towles, 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 Dawnyel Towles at the above address: July 26, 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 Board of Nursing alleges that:

1. At all times relevant hereto, Linda Sue Raines, L.P.N. was licensed to practice as a practical nurse in the Commonwealth of Virginia.
2. Linda Raines, L.P.N. violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice practical nursing due to substance abuse and mental illness, as evidenced by the following:
 - a. From on or about April 18 to May 2, 2016, Ms. Raines was voluntarily admitted to Lewis Gale Hospital (“LGH”), Salem, Virginia, due to suicidal ideations. Her discharge diagnosis was major depression, recurrent, severe without psychotic features, and opiate dependence.
 - b. From on or about March 26 to March 31, 2016, Ms. Raines was voluntarily admitted to LGH due to increased depression and suicidal ideations. Her discharge diagnosis was major depressive disorder, recurrent, severe, without psychosis, and suspect opiate misuse/abuse.
 - c. Ms. Raines’ Prescription Monitoring Program report from March 21, 2015 to March 21 2016 indicates that Ms. Raines has been prescribed 570 10 mg hydrocodone (C-III), 41 5 mg hydrocodone, 102 tramadol 50 mg, 12 oxycodone (C-II), 15 diazepam 2 mg (C-IV), and 180 methylphenidate (C-II), from 12 prescribers and 7 pharmacies.
 - d. From on or about February 16 to February 28, 2016, Ms. Raines was voluntarily admitted to LGH due to an attempted overdose and increased depression. Her discharge diagnosis was major depressive disorder, recurrent, severe, without psychosis.
 - i. On March 1, 2016, Ms. Raines was admitted to day treatment at LGH as a step down from inpatient treatment. She was diagnosed on March 4, 2016 with major depressive disorder, recurrent, severe, without psychosis, and post-traumatic stress disorder.

e. From on or about December 21 to December 24, 2015, Ms. Raines was admitted under a temporary detention order to LGH due to an attempted overdose and depression. Her discharge diagnosis was Benadryl overdose intentional, history of post-traumatic stress disorder, and depression.

i. Following her discharge on December 24, 2015, Ms. Raines failed to appear for her aftercare appointment scheduled for December 28, 2015.

ii. On April 6, 2016, the attending psychiatrist with LGH said that Ms. Raines is unsafe to practice nursing due to her several suicide attempts.


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

July 8, 2016
Date