



COMMONWEALTH of VIRGINIA

Sandra Whitley Ryals
Director

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

NOTICE OF INFORMAL CONFERENCE BEFORE AN AGENCY SUBORDINATE

Board of Nursing (804) 662-9909
Nurse Aide Registry (804) 662-7310
FAX (804) 662-9512

April 6, 2007

Sheila Gibson, L.P.N.
P. O. Box 52
Dungannon, Virginia 24245

CERTIFIED MAIL
71603901984990846651

Re: License No.: 0002-109602
Expires: March 31, 2007

Dear Ms. Gibson:

This letter is official notification that an informal conference of the Virginia Board of Nursing ("Board") will be held on **April 24, 2007, at 1:00 p.m.**, at 6603 West Broad Street, Fifth Floor, Richmond, Virginia. In accordance with §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), this informal conference will be held before an agency subordinate of the Board. This informal conference will be convened as a public meeting pursuant to § 2.2-3700 *et seq.* of the Code. The agency subordinate will review your compliance with the terms and conditions imposed upon your license to practice as a practical nurse in Virginia, as set forth in an Order of the Board entered October 15, 2004. Specifically:

You may be in violation of certain terms and conditions of the Order of the Board entered on October 15, 2004, as follows:

1. Term No. 3 of the Order required you to advise the Board in writing within ten days of the date you begin nursing practice or change employment, or have any interruption in your practice. On or about November 23, 2004, you advised that you were employed by Wexford House, Kingsport, Tennessee; however, you did not submit this information in writing. Further, on or about December 3, 2004, your employment was terminated. You did not provide this information until January 28, 2005.

2. Term No. 6 of the Order required you to practice only in a structured, supervised employment setting for the first two years of employment. Additionally, this term required you to provide a written description of the employment setting to the Board for approval. On or about November 23, 2004, you advised that you were employed by Wexford House, Kingsport, Tennessee. You failed to provide a written description of this employment setting for approval.

3. Term Nos. 2 and 7 of the Order required you to submit quarterly "self-reports." The initial self report, due January 18, 2005, was received on January 28, 2005. The reports due for March, June, September and December 2005 were not received in a timely manner.

After consideration of all information, the agency subordinate may:

1. Recommend to the Board that you be exonerated, that there be a finding of no violation, or that insufficient evidence exists to determine that a statutory/regulatory violation has occurred; or

2. 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 recommend that a previous Board Order be modified, or refer this matter for a formal administrative proceeding pursuant to § 2.2-4020 of the Code.

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 move the case to 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. 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.

You have the right to information that will be relied upon by the agency subordinate in making a decision. Therefore, I enclose a copy of the documents that will be distributed to the agency subordinate, and will be considered when discussing the allegations with you and when deliberating upon your case. These documents are enclosed only with the original notice sent by certified mail, and must be claimed at the post office. Further, if you retain counsel, it is your responsibility to provide the enclosed materials to your attorney.

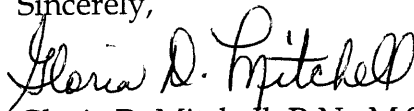
To facilitate this proceeding, you should submit four copies of any documents you wish for the agency subordinate to consider to Gloria Mitchell, 6603 West Broad Street, 5th Floor, Richmond, Virginia 23230-1712, by **April 19, 2007**. Your documents may not be submitted by facsimile or e-mail.

You may be represented by an attorney at the informal conference. If you obtain counsel, you should do so as soon as possible, because absent good cause to support a request for a continuance, the informal conference will be held on **April 24, 2007**. A request to continue this proceeding must state in detail the reason for the request and must establish good cause. Such request must be made, in writing, to me at the address listed on this letter and must be received by **5:00 p.m. on April 19, 2007**. Only one such motion will be considered. Absent critical circumstances, such as personal or family illness, a request for a continuance after **April 19, 2007**, will not be considered.

Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of medicine 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.

Please advise the Board, in writing, of your intention to be present. If you have any questions regarding this notice, please contact this office, at (804) 662-9075.

Sincerely,



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

cc: Agency Subordinate
Sandra Whitley Ryals, Director, Department of Health Professions
Anne Joseph, Deputy Director, Administrative Proceedings Division
Amanda E. Mitchell, Adjudication Specialist
Tonya D. James, Compliance Case Manager (Case no. 104626)