

0031-007545



# COMMONWEALTH of VIRGINIA

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## NOTICE OF INFORMAL CONFERENCE BEFORE AN AGENCY SUBORDINATE

October 2, 2013

Erika Billings, R.M.A. Applicant  
199 Buckeye Street  
Saltville, VA 24370

**CERTIFIED MAIL**  
**71969008911191928786**

Dear Ms. Billings:

This letter is official notification that an informal conference of the Virginia Board of Nursing ("Board") will be held on **October 22, 2013, at 10:30 a.m.**, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia. In accordance with §§ 2.2-4019, 2.2-4021, and 54.1-2400(7) and (10) of the Code of Virginia (1950), as amended ("Code"), this informal conference will be held before an agency subordinate of the Board of Nursing. This informal conference will be convened as a public meeting pursuant to § 2.2-3700 *et seq.* of the Code. The agency subordinate will consider your application for registration by examination as a medication aide and will inquire into evidence that grounds may exist to deny your application.

Specifically:

1. You may have violated § 54.1-3007(4) and (6) of the Code in that you were convicted of the following felony offenses in the United States District Court, Western District of Virginia, on or about February 2, 2010: one count of conspiracy to distribute cocaine, three counts of maintain a place for the purpose of unlawfully storing and distributing a controlled substance, and five counts of conspiracy to distribute cocaine.
2. You may be in violation of § 54.1-3007(6) of the Code in that, by your own admission, you abused illegal drugs, prescription drugs, and alcohol in the years that you distributed cocaine.

The burden rests on you, as the applicant, to demonstrate that you meet the requirements of 18 VAC 90-60-90 of the Regulations Governing the Registration of Medication Aides.

After consideration of all information, the agency subordinate may:

1. Approve your application for registration by examination; or
2. Recommend to the Board that your application be approved with a reprimand, a monetary penalty, or terms and conditions, which may include placing you on probation; or
3. Recommend to the Board that your application be denied; or
4. Refer the matter to a formal hearing of the Board.

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 a formal hearing. If you do not agree with the decision of the Board, you may request a formal administrative hearing before the Board.

Since the allegations listed above involve impairment, please be advised that you may make application to the Health Practitioners' Monitoring Program ("HPMP"), which is available to all health care practitioners licensed in Virginia. Information about the HPMP is enclosed. Should you enter into a written agreement with the HPMP prior to your informal conference, the agency subordinate will take that into consideration when making a recommendation in your case.

#### **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, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

To facilitate this proceeding, you should submit five copies of any documents you wish the agency subordinate to consider to the Virginia Board of Nursing, Perimeter Center, 9960 Mayland

Drive, Suite 300, Richmond, VA 23233, by October 16, 2013. Your documents may not be submitted by facsimile or email.

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 October 22, 2013. 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 12 noon on October 16, 2013. Only one such motion will be considered. Absent critical circumstances, such as personal or family illness, a request for a continuance after October 16, 2013 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 nursing 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) 367-4614.

Sincerely,



Brenda Krohn, R.N., M.S.  
Deputy Executive Director

BK/fdb  
Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division  
Peter Opper, Adjudication Specialist  
Agency Subordinate  
Peggy Wood, Monitoring Program Manager