

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: **SAMANTHA ELIZABETH DAY, R.N.**
License Number: **0001-254124**
Issue Date: **August 28, 2014**
Expiration Date: **December 15, 2015**
Case Number: **171196**

**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:	May 19, 2016 11:00 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;
- Place you on probation and/or under terms and conditions;
- Suspend your license;
- Revoke your license.

DEFAULT:

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: **May 10, 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.
2. Deadline for filing motions, including motions for continuance or objections to exhibits, in writing, to Darlene Graham at the above address: **May 10, 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.

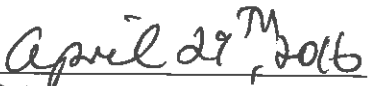
STATEMENT OF ALLEGATIONS

The Board of Nursing alleges that:

1. At all times relevant hereto, Samantha Elizabeth Day, R.N. was licensed to practice professional nursing in the Commonwealth of Virginia.
2. Samantha Elizabeth Day, R.N. violated Virginia Code § 54.1-3007(6) and Term Number 5 of the Board's Order entered on September 15, 2015, which required her to comply with all terms and conditions of the Health Practitioners' Monitoring Program ("HPMP"), in that on or about November 20, 2015 Ms. Day was dismissed from the HPMP for failure to enter and complete treatment as recommended, non-compliance with the toxicology screening program, and failure to maintain communication with the HPMP.



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



Date