



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions

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

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NOTICE OF INFORMAL CONFERENCE

March 7, 2016

Lee Anne N. Willoughby, R.N.
3532 Robs Drive
Suffolk, VA 23434

CERTIFIED MAIL
9414 7266 9904 2062 8972 34

Re: VA License No.: 0001-213773
Expiration Date: September 30, 2017

Dear Ms. Willoughby:

This is official notification that an informal conference will be held pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), **on April 4, 2016, at 9:00 a.m.**, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233. You may be represented by an attorney at the conference. This informal conference will be convened as a public meeting pursuant to § 2.2-3700 *et seq.* of the Code.

The Special Conference Committee (“Committee”), which is comprised of at least two members of the Virginia Board of Nursing (“Board”), will inquire into allegations that you may have violated certain laws and regulations governing professional nursing practice in Virginia.

Specifically, during the course of your employment with the Hague Center for Cosmetic and Plastic Surgery, Norfolk, Virginia:

1. You may have violated § 54.1-3007(2), (5), (6), and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing in that during the course of your employment with the Hague Center for Cosmetic and Plastic Surgery, Norfolk, Virginia, in or about October and November 2015, by your own admission, you diverted fentanyl (C-II), Dilaudid (hydromorphone, C-II), morphine (C-II), and Percocet (oxycodone/ acetaminophen, C-II) from the facility supply for your own personal and unauthorized use. You accomplished this by tampering with vials or bottles of the medications, and then replacing the medications with saline and Tylenol tablets. You then covered your diversion by logging the tampered medication vials to patients so that you could discard the vials of saline.

2. You may have violated § 54.1-3007(5) and (6) of the Code in that during the course of your employment with the Hague Center for Cosmetic and Plastic Surgery:

a. In or about October 2015, you were sent home early from work after multiple coworkers observed that you appeared “drowsy” and “sleepy” and you stated that you had taken Benadryl.

b. On or about November 25, 2015, you submitted a for-cause urine drug screen which tested positive for morphine, for which you did not have a prescription.

3. You may have violated § 54.1-3007(6) of the Code in that you may be unsafe to practice professional nursing due to your substance abuse and/or chemical dependency, as evidenced by the following:

a. On or about January 8, 2016, you signed a Participation Contract with the Health Practitioners’ Monitoring Program in which you acknowledged your opioid abuse.

b. On or about January 13, 2016, you submitted to a urine drug screen which tested positive for hydromorphone, for which you did not have a prescription. On that same date, you told an investigator for the Department of Health Professions that you had accidentally taken a Dilaudid tablet that belonged to your mother.

In its deliberations, the Committee may use the Sanction Reference Points System, as contained in the Sanction Reference Manual. The manual, which is a guidance document of the Board, may be accessed at <http://www.dhp.virginia.gov/nursing>. Please click on *Guidance Documents*, then select #90-7. You may also request a paper copy from the Board office by calling (804) 367-4515.

After the informal conference, the Committee is authorized by § 54.1-2400(10) of the Code to take any of the following actions:

- If the Committee finds that there is insufficient evidence to warrant further action or that the charges are without foundation, the Committee shall notify you by mail that your record has been cleared of any charge which might affect your right to practice professional nursing in the Commonwealth;
- The Committee may place you on probation for such time as it may designate and subject to such terms and conditions as it may deem appropriate;
- The Committee may reprimand you; or
- The Committee may impose a monetary penalty.

Further, the Committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing. If the Committee is of the opinion that suspension or revocation may be justified, the Committee may offer you a Consent Order for suspension or revocation in lieu of a formal hearing.

If you fail to appear at the informal conference, the Committee may proceed to hear the case in your absence and may take any of the actions outlined above. At least ten days prior to the scheduled date of the conference, please inform this office at (804) 367-4515, or in writing at the address listed above, of your telephone number and whether you intend to appear at the informal conference.

To facilitate this proceeding, you should submit five copies of any documents you wish the Committee to consider to the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, by March 28, 2016. Your documents may not be submitted by facsimile or email.

You have the right to the information on which the Board will rely in making its decision. Therefore, I have enclosed a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating on 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.**

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.

Sincerely,



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

GML/dt

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Special Conference Committee Members
Amy E. Weiss, Adjudication Specialist
Wendy Morris, R.N., Senior Investigator (Case no. 171182)