



COMMONWEALTH of VIRGINIA

Robert A. Nebiker
Director

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

October 4, 2004

Board of Nursing (804) 662-9909
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AMENDED NOTICE

Ms. Sharon D. Alls, L.P.N., R.N. Applicant
88 Brookstone Ct. Apt. 20
Galax, Virginia, 24333-4285

CERTIFIED MAIL
7160 3901 9848 3156 8582

Dear Ms. Alls:

This is official notification that an Informal Conference will be held, pursuant to § 54.1-2400 (7) and (10), § 2.2-4019 and § 2.2-4021 of the Code of Virginia (1950), as amended ("Code"), on **October 12, 2004, at 9:00 a.m.**, in the offices of the Department of Health Professions, 6603 West Broad Street, Fifth Floor, Richmond, Virginia.

The Special Conference Committee, which is comprised of two or three members of the Virginia Board of Nursing, will receive and act upon your application for licensure by examination as a professional nurse in the Commonwealth of Virginia, will review your compliance with the Order of the Board of Nursing ("Board's Order") entered July 14, 2003, and will inquire into allegations that you may have violated certain laws and regulations governing the practice of nursing in Virginia. The burden rests upon you, as the applicant, to demonstrate that you meet the requirements of § 54.1-3017 of the Code of Virginia (1950), as amended.

1. During the Course of your employment at Edgemont Rehabilitation and Recovery Center, Wytheville, Virginia:

- a. You may have violated Term numbers 2, 4, 5 and 9 of the Board's Order, in that:
 - i. Performance evaluations were required, at your direction, to be provided to the Board of Nursing ("Board") within sixty (60) days of the final entry of the Board's Order, followed by reports due at the end of March, June, September, and December until the end of your probation period. All of your evaluations have been received late in violation of Term numbers 2 and 5 of the Board's Order, in that:
 - a) The evaluations due Oct. 18, 2003, and December 31, 2003, were received January 20, 2004.

- b) The evaluation due March 31, 2004, was received April 29, 2004.
- c) The evaluation due June 30, 2004, was received August 3, 2004.
- ii. You were required to provide your current employer with a copy of the Board's Order. On your performance evaluation received April 29, 2004, your supervisor indicated that she received the copy of the Board's Order from the Board, instead of from you, in violation of Term number 4 of the Board's Order.
- iii. You were required to send quarterly self-reports at the same time as the performance evaluations. You failed to send in two of your self reports in a timely manner, in violation of Term numbers 2 and 9 of the Board's Order, in that:
 - a) Your quarterly self-report due October 18, 2003, was received October 10, 2003.
 - b) Your quarterly self-report due June 30, 2004 was received July 27, 2004.
- b. You may have violated § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(2)(e) and (f) of the Board of Nursing Regulations, and Term 11 of the Board's Order, in that:
 - i. Between April 16 and 17, 2004, you failed to change the dressings on Resident's A, B and C, which was required as noted in the patient's standing medical orders.
 - ii. You indicated that you changed Resident C's dressing on April 16, 2004, when you did not.
- c. You may have violated § 54.1-3007(5) of the Code, and Term number 11 of the Board's Order, in that:
 - i. On or about January 21, 2004, you were counseled for not documenting notes and charting the schedule.
 - ii. On or about April 23, 2004, you were counseled for not completing your Intake and Output sheets for April 3, 4, 9-11, and 16-17, until April 23, 2004.
 - iii. On or about June 14, 2004, a performance evaluation stated that you were "very verbal about issues you do not agree with," "appears to want to instigate problems," "points out everyone else's faults" and "doesn't want to take responsibility for mistakes."

2. You may have violated § 54.1-3007(7) of the Code, in that:
 - a. On or about February 20, 2003, as a result of disciplinary action, you surrendered your license to practice as a Practical Nurse in the State of North Carolina.
 - b. On or about July 14, 2003, your Virginia license to practice as a Practical Nurse was placed on probation.

You may be represented by an attorney at the informal conference. After the conference, the Conference Committee is authorized to take the following actions:

1. The committee may approve your Application for Licensure by Examination;
2. The committee may determine that it is unable to approve your Application for Licensure by Examination;
3. The committee may approve your Application for Licensure by Examination and, subsequent to your successful completion of the NCLEX examination, grant you licensure as a professional nurse and place your license on probation with such terms as it may deem appropriate;
4. The committee may approve your Application for Licensure by Examination and, subsequent to your successful completion of the NCLEX examination, may grant you licensure as a professional nurse and reprimand you;
5. The committee may approve your Application for Licensure by Examination and, subsequent to your successful completion of the NCLEX examination, may grant you licensure as a professional nurse and may impose a monetary penalty pursuant to § 54.1-2401 of the Code; or
6. The committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing.

If you fail to appear at the informal conference, the Conference Committee may proceed to hear the case in your absence, and may take any of the actions outlined above.

At least ten (10) days prior to the scheduled date of the conference, please inform this office of your telephone number and whether you intend to appear at the conference. This can be done by calling our offices at (804) 662- or by sending us a letter at the address listed above.

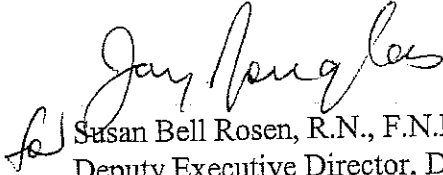
If you have any additional documents to be presented to the Conference Committee, **please bring five (5) copies of each document with you.**

You have the right to information which will be relied upon by the Board in making a decision. Therefore, I enclosed a copy of the documents which will be distributed to the members of the Committee and will be considered by the Committee 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. Please bring these documents with you.**

Sharon D. Alls
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Enclosed you will find copies of the relevant sections of the Administrative Process Act, which governs proceedings of this nature, as well as the laws and regulations relating to the practice of nursing in Virginia.

Sincerely,


Susan Bell Rosen, R.N., F.N.P., J.D.
Deputy Executive Director, Discipline

Enclosures

cc: Robert A. Nebiker, Director, Department of Health Professions
James Banning, Director, Administrative Proceedings Division
Mykl Egan, Senior Adjudication Analyst
Beverly Beck, Senior Investigator (96666 & 98065)
Special Conference Committee Members