



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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AMENDED NOTICE OF INFORMAL CONFERENCE
BEFORE AN AGENCY SUBORDINATE

September 21, 2015

Laurie A. Calhoun, R.N.
4423 South Street
Portsmouth, VA 23707

CERTIFIED MAIL
9414 7266 9904 2028 4915 37

RE: VA License No.: 0001-219408
Expiration Date: July 31, 2017

Dear Ms. Calhoun:

This letter is official notification that an informal conference of the Virginia Board of Nursing ("Board") will be held on October 7, 2015, at 1:00 p.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(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 inquire into allegations that you may have violated certain laws and regulations governing professional nursing practice in Virginia.

1. You may have violated § 54.1-3007(6) of the Code in that you may be unsafe to practice professional nursing due to mental illness and chemical dependency, as evidenced by the following:

a. You were voluntarily admitted to the Adult Chemical Dependency Unit of Bon Secours Maryview Medical Center, Portsmouth, Virginia ("Maryview Medical Center"), where you received inpatient treatment from on or about September 27 to September 30, 2014 for severe depression and homicidal and suicidal ideations. You were discharged with diagnoses including bipolar 1 disorder, anxietytic use disorder, opioid use disorder, and stimulant use disorder.

b. You were admitted to the Maryview Medical Center again on or about January 17, 2015 for an overdose of seroquel (quetiapine) and hydrocodone (C-II), and you received inpatient treatment there until January 18, 2015. Your urine drug screen tested positive for benzodiazepines, cocaine, and amphetamines.

c. You have been diagnosed with bipolar disorder, adjustment disorder, depression, anxiety, and ADHD.

d. You stated to an investigator for the Department of Health Professions that you have been terminated from every nursing position you held in Virginia and that you believe your inability to keep a job may be related to your history of mental illness.

e. On or about March 5, 2015, you signed a Participation Contract with the Health Practitioners' Monitoring Program stating that you may suffer from mental illness and/or physical illness that impairs your ability to practice nursing safely as evidenced by your psychiatric hospitalizations.

2. During the course of your employment with Continuum Pediatric Nursing Services, Chesapeake, Virginia:

a. You may have violated § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing ("Regulations") in that on or about December 1, 2014, you failed to properly watch and care for Patient A, allowing her to sustain an injury under your care.

b. You may have violated § 54.1-3007(5) and (6) of the Code in that in or about September through December, 2014 you were observed acting drowsy and working very slowly, reporting to work with a disheveled appearance, walking slowly in a daze, asking strange and inappropriate questions to other staff, stealing supplies from the art supply closet at Patient A's school, and yelling and cursing at your supervisor during a meeting.

3. You may have violated § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations in that:

a. On your application for employment with Continuum Pediatric Nursing Services, dated May 29, 2013:

i. You failed to list your previous employment with Chesapeake Regional Medical Center, Chesapeake, Virginia, from on or about June 29, 2009 until your employment was terminated on November 11, 2009.

ii. You failed to list your previous employment with Bon Secours DePaul Medical Center, Norfolk, Virginia, from on or about January 11, 2010 until your employment was terminated on November 18, 2010.

b. On your application for employment with Atlantic Homecare Services dated February 7, 2013, you failed to list your previous employment with Chesapeake Regional Medical Center.

Please see Attachment I for the name of the patient referenced above.

In its deliberations, the agency subordinate 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 consideration of all information, the agency subordinate may:

- If the agency subordinate finds that there is insufficient evidence to warrant further action or that the charges are without foundation, 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; or
- 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 refer this matter for a formal administrative proceeding pursuant to § 2.2-4020 of the Code.

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 Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite

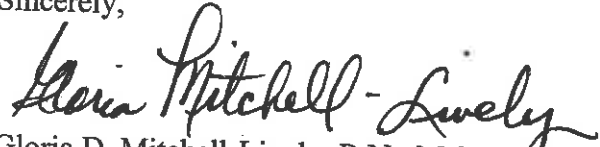
300, Richmond, VA 23233, by October 2, 2015. Your documents may not be submitted by facsimile or email.

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 7, 2015. 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 2, 2015. Only one such motion will be considered. Absent critical circumstances, such as personal or family illness, a request for a continuance after October 2, 2015 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 our office, at (804) 367-4502.

Sincerely,



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

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Amy E. Weiss, Adjudication Specialist
Kim Martin, R.N., Senior Investigator (Case no. 161252)
Kimberly Hood, Intake Investigator (Case no. 161844)
Agency Subordinate