



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 BEFORE AN AGENCY SUBORDINATE

September 22, 2015

Stephanie Grant, L.P.N.
25 Burtis Street
Portsmouth, VA 23704

CERTIFIED MAIL
9414 7266 9904 2028 4913 46

RE: VA License No.: 0002-051441
Expiration Date: March 31, 2017

Dear Ms. Grant:

This letter is official notification that an informal conference of the Virginia Board of Nursing ("Board") will be held on **October 20, 2015, at 2:00 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 be in violation of an Order of the Board entered February 24, 2010.

Specifically:

1. You may be in violation of Term No. 1(b) of the Board's Order, which required you to inform the Board in writing within ten days of any changes in employment or nursing practice, in that you failed to notify the Board of your employment with Golden Living Center, Portsmouth, Virginia, which began in September 2009.

2. You may be in violation of Term No. 1(c) of the Board's Order, which required you to inform your nursing employers of your probation and provide each current and new employer with a copy of the Board's Order, in that you failed to inform Golden Living Center of your probation or provide them with a copy of the Board's Order.

3. You may be in violation of Term No. 1(d) of the Board's Order, which required performance evaluations to be provided at your direction by all nursing employer(s) at the end of each quarter ending March, June, September, and October, with the first evaluation due no later than 60 days from the date the Order was entered, in that you failed to provide the Board a performance evaluation from your employment with Golden Living Center before the due date of April 25, 2010.

4. You may be in violation of Term No. 1(e) of the Board's Order, which required you practice nursing only in a structured, supervised setting approved by the Board, in that you failed to get Board approval for your employment with Golden Living Center, which began in September 2009.

5. You may be in violation of Term No. 1(f) of the Board's Order, which required you to submit quarterly "Self-Reports" at the end of each quarter ending in March, June, September, and October with the first due no later than 60 days from the date the Order was entered, in that between June 30, 2010 and March 31, 2015, you failed to timely submit Self-Reports to the Board on approximately 16 different occasions.

The Board hereby offers to enter into the enclosed Consent Order with you in lieu of an informal conference in this matter. Please review this document, and should you consent to its terms, sign it in the presence of a notary public. In order for this Consent Order to become effective, you must return the entire document bearing your witnessed signature to the Board office on or before October 5, 2015. Upon its receipt in the Board office, the Consent Order will be entered upon approval by the full Board and the informal conference will be cancelled. You will receive a certified copy of the Consent Order, bearing the date of entry, shortly thereafter. Should the Board not receive this signed Consent Order from you by 5:00 p.m. on October 5, 2015, the Board will proceed with the informal conference as scheduled.

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 practical 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.

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 15, 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 20, 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 15, 2015. Only one such motion will be considered. Absent critical circumstances, such as personal or family illness, a request for a continuance after October 15, 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

GML/sts

Enclosures

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cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Amy E. Weiss, Adjudication Specialist
Agency Subordinate
Tonya D. James, Compliance Case Manager (Case no. 162324)