



# COMMONWEALTH of VIRGINIA

David E. Brown, D.C.  
Director

## Department of Health Professions

Perimeter Center  
9960 Mayland Drive, Suite 300  
Henrico, Virginia 23233-1463

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TEL (804) 367- 4400  
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Virginia Board of Nursing  
Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director

Board of Nursing (804) 367-4515  
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### NOTICE OF INFORMAL CONFERENCE BEFORE AN AGENCY SUBORDINATE

September 2, 2015

Yuan Cooper, R.N.  
P.O. Box 66184  
Virginia Beach, Virginia 23466

**CERTIFIED MAIL**  
**9414 7266 9904 2028 4917 28**

418 North Chesire Court  
Virginia Beach, Virginia 23454

**CERTIFIED MAIL**  
**9414 7266 9904 2028 4917 11**

RE: VA License No.: 0001-248167  
Expiration Date: October 31, 2015

Dear Ms. Cooper:

This letter is official notification that an informal conference of the Virginia Board of Nursing (“Board”) will be held on **September 23, 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 nursing practice in Virginia.

Specifically:

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

a. On or about March 13, 2014, you admitted yourself to Virginia Beach Psychiatric Center, for suicidal ideations with a plan.

b. On or about January 10, 2015, you were admitted by Temporary Detention Order (“TDO”) to Virginia Beach Psychiatric Center, and diagnosed with bipolar disorder type I.

c. On or about January 27, 2015, you were admitted to Sentara Norfolk General Hospital, by TDO. You were diagnosed with bipolar disorder, manic with psychosis.

d. By your own admission, you have suffered with depression for approximately ten years.

2. You may have violated § 54.1-3007(5) of the Code in that on or about December 6, 2014, during the course of your employment with Sentara Healthcare, Norfolk, Virginia, you cursed at your unit coordinator while at the nurse’s station in the vicinity of patient rooms. Further, you continued to contact facility staff after being told not to contact the hospital or to come onto the grounds.

3. You may have violated § 54.1-3007(1) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing in that on your application for licensure to practice professional nursing in Virginia, dated October 13, 2013, you answered “NO” to the question “Do you have a mental, physical or chemical dependency condition which could interfere with your current ability to practice nursing?” when, in fact, you have suffered from depression for approximately ten years.

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 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.**

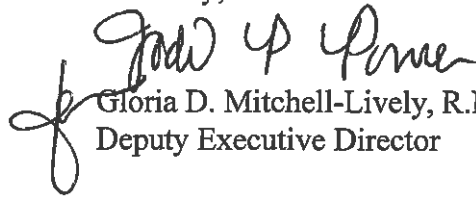
To facilitate this proceeding, you should submit five copies of any documents you wish the agency subordinate to consider to the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, VA 23233, by September 16, 2015. Your documents may not be submitted by facsimile or email.

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 September 23, 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 September 16, 2015. Only one such motion will be considered. Absent critical circumstances, such as personal or family illness, a request for a continuance after September 16, 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,

A handwritten signature in black ink, appearing to read "GDM Lively". The signature is written in a cursive style with a large initial "G" and "L".

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

GML/sts

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division  
Cynthia E. Gaines, Adjudication Specialist  
Kim Martin, R.N., Senior Investigator (Case Nos. 161225 and 161984)  
Agency Subordinate  
Peggy Wood, Monitoring Program Manager