



COMMONWEALTH of VIRGINIA

Department of Health Professions

Board of Nursing

Nancy K. Durrett, R.N., M.S.N.
Executive Director
nursebd@dhp.state.va.us

6606 West Broad Street, Fourth Floor
Richmond, Virginia 23230-1717
(804) 682-9909
Nurse Aide Registry (804) 682-7310
FAX (804) 682-9512
TDD (804) 682-7197

January 19, 2000

Terry D. Lucero, L.P.N.
77-C Tall Pines Way
Newport News, Virginia 23606

CERTIFIED MAIL
P 973 173 857

Dear Ms. Lucero:

This is official notification that an Informal Conference will be held, pursuant to § 54.1-110, § 54.1-3010 and § 9-6.14:11 of the Code of Virginia (1950), as amended, on February 28, 2000, at 1:00 p.m., in the offices of the Department of Health Professions, 6606 West Broad Street, Southern States Building, Fourth Floor, Richmond, Virginia. You may be represented by an attorney at the informal conference.

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, and will inquire into allegations that you may have violated certain laws and regulations governing the practice of professional 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.

Specifically, you may have violated § 54.1-3007(4) and (6) of the Code of Virginia (1950), as amended, in that:

1. On or about May 27, 1980, you were convicted of grand larceny in the Circuit Court for the City of Portsmouth, Portsmouth, Virginia, and on or about August 11, 1980, you were sentenced to two (2) years in prison.
2. On or about February 2, 1993, you were arrested for stealing six (6) saw blades from Huskey's Hardware, Newport News, Virginia, on or about December 7, 1992.
3. On or about December 1, 1993, in the Circuit Court of the City of Chesapeake, Chesapeake, Virginia, you were sentenced to five (5) years in prison for grand larceny, a felony. Your sentence was suspended upon terms and conditions, to include: supervised probation for an indeterminate period, participation in a drug treatment program, remaining drug free during the period of probation, and completion of a residential drug treatment program.

Terry D. Lucero, L.P.N.

4. On or about December 6, 1993, you were found guilty of misdemeanor petit larceny in Newport News General District Court, Newport News, Virginia. You were sentenced to twelve (12) months in jail, suspended, and ordered to pay fines and costs of \$46.00.
5. On or about March 9, 1994, in the Circuit Court of the County of Isle of Wight, Isle of Wight, Virginia, you pled guilty to being an accessory after the fact to grand larceny, a misdemeanor. On or about April 27, 1994, you were sentenced to twelve (12) months in jail, suspended, placed on eighteen months' supervised probation, and ordered to pay the costs of prosecution and restitution.
6. On or about May 20, 1994, in the Circuit Court of the City of Hampton, Hampton, Virginia, you were sentenced to five (5) years in prison for felony shoplifting. Your sentence was suspended for a period of ten (10) years; you were placed on supervised probation for twelve (12) months, and ordered to pay the costs of prosecution.
7. By your own admission, your criminal activity occurred in connection with your chemical dependency.

Since the allegations listed above involve impairment, please be advised of the availability of making application to the Health Practitioners' Intervention Program ("Program") which is available to all health care practitioners licensed in Virginia. A brochure about the program is enclosed. Should you enter into a written agreement with the Program prior to your Informal Conference, the Committee will take that into consideration and could, among other options, decide to close your case with no disciplinary action.

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-

Terry D. Lucero, L.P.N.

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 will 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) 662-9950 or by sending us a letter at the address listed above.

You have the right to information which will be relied upon by the Board in making a decision. Therefore, I have 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.

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

Also, enclosed are copies of the relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws and regulations relating to the practice of nursing in Virginia that are cited in this notice.

Sincerely,



Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Assistant Executive Director

JPD/eow/mls
Enclosures

cc: John W. Hasty, Director, Department of Health Professions
James L. Banning, Director for Administrative Proceedings
Committee Members
Emily O. Wingfield, Senior Legal Assistant (75826)