



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

Board of Nursing (804) 367-4515
Nurse Aide Registry (804) 367-4569
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NOTICE OF INFORMAL CONFERENCE

September 10, 2015

Terris D. McCloud, C.N.A. Reinstatement Applicant
103 Willow Street
Lynchburg, VA 24503

CERTIFIED MAIL
9414 7266 9904 2028 4544 33

Re: VA Certificate No.: 1401-126931

Dear Ms. McCloud:

This is official notification that an informal conference will be held pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), on **October 13, 2015, at 9:00 a.m.**, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233. You may be represented by an attorney at the conference. This informal conference will be convened as a public meeting pursuant to § 2.2-3700 *et seq.* of the Code.

The Special Conference Committee (“Committee”), which is comprised of at least two members of the Virginia Board of Nursing (“Board”), will receive and act upon your application for the reinstatement of your certificate to practice as a nurse aide in the Commonwealth of Virginia, which was suspended by an Order of the Board entered September 20, 2012, and will inquire into allegations that you may have violated certain laws and regulations governing nurse aide practice in Virginia.

Specifically:

1. You may have violated § 54.1-3007(6) of the Code in that you may be unsafe to practice as a nurse aide due to substance abuse and mental and/or physical illness, as evidenced by your continued use of alcohol, failure to seek counseling and treatment for depression and ongoing oncology treatment.
2. You may have violated § 54.1-3007(4) of the Code in that on or about February 7, 2012, in the General District Court of Lynchburg, Virginia, you were convicted of failing to return rental property, a misdemeanor of moral turpitude.

3. You may have violated § 54.1-3007(1) of the Code and 18 VAC 90-25-100(1)(b) of the Regulations Governing the Certification of Nurse Aides in that on the application for reinstatement dated March 5, 2015:

a. You answered “no” to the question pertaining to criminal convictions, when, in fact, you have been convicted as indicated above.

b. You answered “no” to the question pertaining to action against your certificate, when, in fact, your certificate is currently suspended.

c. You answered “no” to the question “do you have any mental, physical, or chemical dependency condition which could interfere with your current ability to practice as a nurse aide?” when, in fact, you continue to use alcohol and have failed to seek counseling and treatment for depression as recommended.

Pursuant to 18 VAC 90-25-81 of the Regulations Governing Certified Nurse Aides, the burden of providing evidence satisfactory to the Board that you are prepared to resume competent practice as a nurse aide with reasonable skill and safety to patients rests with you.

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 Committee will take that into consideration when deciding your case.

After the informal conference, the Committee is authorized by § 54.1-2400(10) of the Code to take any of the following actions:

- The Committee may reinstate your certificate to practice as a nurse aide in the Commonwealth without restriction;
- The Committee may reinstate your certificate and place you on probation for such time as it may designate and subject to such terms and conditions as it may deem appropriate, reprimand you, or impose a monetary penalty; or
- The Committee may deny your application for reinstatement of your certificate.

Further, 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 Committee may proceed to hear the case in your absence and may take any of the actions outlined above. At least ten days prior to the scheduled date of the conference, please inform this office at (804) 367-4515, or in writing at the address listed above, of your telephone number and whether you intend to appear at the informal conference.

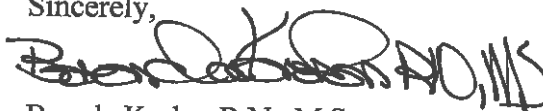
To facilitate this proceeding, you should submit five copies of any documents you wish the Committee to consider to the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive,

Suite 300, Henrico, Virginia 23233, by October 6, 2015. Your documents may not be submitted by facsimile or email.

You have the right to the information on which the Board will rely in making its decision. Therefore, I have enclosed a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating on 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.**

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.

Sincerely,



Brenda Krohn, R.N., M.S.
Deputy Executive Director

BK/lba

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Special Conference Committee Members
Tammie D. Jones, Adjudication Specialist (Case no. 162475)
Peggy Wood, Monitoring Program Coordinator