



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions

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

www.dhp.virginia.gov
TEL (804) 367- 4400
FAX (804) 527- 4475

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
FAX (804) 527-4455

NOTICE OF INFORMAL CONFERENCE

October 27, 2015

Carrie Jo Canard, R.N. Reinstatement Applicant
345 Warren Court
Warrenton, Virginia 20186

CERTIFIED MAIL
9414 7266 9904 2028 4539 17

Re: Reinstatement Application

Dear Ms. Canard:

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 December 1, 2015 at 1:00 p.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 license to practice professional nursing in the Commonwealth of Virginia, which was suspended by an Order of the Board entered on November 21, 2011 ("Board's Order"), and will inquire into evidence that grounds may exist to deny your application.

Specifically:

1. You may have violated §54.1-3007(6) of the Code in that you may be unsafe to practice nursing due to substance abuse, as evidenced by the following:

a. On or about May 7, 2012, you signed a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP"). At that time you indicated that your "self-report of chemical abuse and mental health issues" may impair your ability to safely practice nursing. On or about January 11, 2013, you were dismissed from the HPMP due to your noncompliance with the program's toxicology screening program, your failure to submit required monthly reports, and positive drug screens for codeine, morphine, hydromorphone and amphetamines.

b. On or about July 1, 2014, you signed a Participation Contract with the HPMP to reenter into the program. On your contract you indicated that your opioid medication abuse and heroin use may impact your ability to safely practice nursing.

c. On or about July 17, 2014, during a mental health evaluation you admitted to “doctor shopping” and that you used your title as a nurse to obtain multiple prescriptions for Adderall (C-II) in order to sell the medication to support your heroin addiction.

d. On or about September 23, 2015, the Board received a noncompliance report from the HPMP, which indicated that you had relapsed on heroin in August 2015. The report also indicated that in September 2015, you missed two calls to the toxicology screen test line and that you had failed to report two Xanax (alprazolam, C-IV) prescriptions and one hydromorphone (C-II) prescription. In addition, you failed to submit monthly reports for May through August and the HPMP had not received requested UDS results from your probation officer.

e. On or about October 13, 2015, the Board received a second noncompliance report from the HPMP, which indicated that you failed to submit all required reports and medical documentation and that you failed to comply with the toxicology screening program. The report also noted that you stopped calling the test line on October 6, 2015, after you notified the HPMP that you were not going to comply with residential treatment recommendations. You were previously placed on pre-dismissal status and the HPMP reported that you would be submitted for dismissal from the program at the November Monitoring Program Committee meeting.

2. You may have violated §54.1-3007(4) and (6) of the Code in that:

a. On or about October 8, 2013, you pled guilty to and were convicted of one count of felony conspiracy to distribute Adderall and one count of felony health care fraud in the United States District Court, Eastern District of Virginia.

b. On or about July 30, 2014, you pled guilty to and were convicted of one count of felony conspiracy to obtain money by false pretenses in the Circuit Court of the City of Fredericksburg, Virginia.

The burden rests on you to demonstrate that you are prepared to resume the safe and competent practice of nursing.

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 license to practice professional nursing in the Commonwealth without restriction;
- The Committee may reinstate your license 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;
- The Committee may deny your application for reinstatement of your license;

- The Committee may modify a previous order.

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 November 19, 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.

In the event of inclement weather, please be advised that Board of Nursing hearings will be held unless state offices are closed. Please listen to television or radio announcements to provide information about official state closings or delays. If there is a delayed opening, hearings will begin at the time of the agency opening. A recorded announcement pertaining to closings or delays will also be available by calling the main telephone number for the Department of Health Professions at (804) 367-4400.

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
Wendy Deaner, Adjudication Specialist
Marcella Luna, Senior Investigator (Case No. 162910)