



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

July 9, 2015

Penny Trentham, R.N. Reinstatement Applicant
12101 Timbernorth Court
Midlothian, Virginia 23112

CERTIFIED MAIL
9414 7266 9904 2003 2467 56

Re: VA License No.: 0001-167597
Expiration Date: October 8, 2013

Dear Ms. Trentham:

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 **August 17, 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 license to practice professional nursing in the Commonwealth of Virginia, which was suspended by an Order of the Board entered October 8, 2013, and will inquire into allegations that you may have violated certain laws governing the practice of nursing in Virginia.

Specifically:

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

a. You received inpatient treatment for depression at Chippenham & Johnston-Willis Hospitals, Tucker Pavilion, in June 2014. You discontinued all treatment, including medications and counseling, after July 2014.

b. You continued to take controlled substances, including oxycodone (C-II)m hydrocodone (C-II), Xanax (alprazolam, C-IV), and Ambien (zolpidem, C-IV), despite your history of

substance abuse. You received prescriptions for controlled substances from 11 different providers between July 2013 and January 2015.

2. You may have violated § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(n) of the Regulations Governing the Practice of Nursing (“Regulations”) in that on or about March 30, 2015, you provided false information to an investigator for the Department of Health Professions as follows:

a. You indicated that you had not taken any controlled substances since you left Tucker Pavilion in June 2014, but a Prescription Monitoring Program report revealed that you filled multiple prescriptions for controlled substances between July 2014 and January 2015.

b. When asked for your employment history, you failed to reveal your employment with and termination from Commonwealth Primary Care.

3. You may have violated § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations in that on applications for employment with Family Practice Specialists, Richmond, Virginia, dated June 21, 2013, and NCI, Richmond, Virginia, dated September 14, 2014, you failed to reveal your prior employment with and termination from Commonwealth Primary Care.

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

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 license to practice 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.

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 August 12, 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/dt

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Special Conference Committee Members
Marcella Luna, Senior Investigator (Case no. 162243)
Peggy Wood, Monitoring Program Manager