



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
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NOTICE OF INFORMAL CONFERENCE

July 9, 2015

Mary E. Lynch, R.N. Applicant
44 County Bridge Road
East Stroudsburg, PA 18301

CERTIFIED MAIL
9414 7266 9904 2003 2467 25

Re: Application for Licensure

Dear Ms. Lynch:

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 licensure by endorsement to practice professional nursing in Virginia and will inquire into evidence that grounds may exist to deny your application.

Specifically:

1. You may have violated § 54.1-3007(2), (5), (6), and (8) of the Code and 18 VAC 90-20-300(A)(2)(c), (e) and (f) of the Regulations Governing the Practice of Nursing in that, as found in an Order of the Pennsylvania Board of Nursing entered July 30, 2008, during the course of your employment with Easton Hospital in 2005, you diverted controlled substances for your personal and unauthorized use, fraudulently documented hospital records, and substituted prescribed patient medications for unprescribed medication.

2. You may have violated § 54.1-3007(7) of the Code as follows:

a. By Consent Agreement and Order entered February 28, 2005, the Pennsylvania Board of Nursing suspended your license to practice professional nursing in Pennsylvania and then stayed the suspension subject to certain terms and conditions, based on findings that you had tested positive for tramadol, for which you did not have a valid prescription, while enrolled in the Pennsylvania Professional Health Monitoring Program Voluntary Recovery Program.

b. Based on the findings contained in Allegation No. 1, by Order entered July 30, 2008, the Pennsylvania Board of Nursing suspended your license to practice professional nursing in Pennsylvania for two years. Your license was reinstated subject to probation and monitoring by Order of the Pennsylvania Board of Nursing entered April 8, 2011.

3. You may have violated § 54.1-3007(6) of the Code in that you may be unsafe to practice professional nursing due to your admitted history of substance abuse.

The burden rests on you, as the applicant, to demonstrate that you meet the requirements of § 54.1-3018 of the Code.

The Board hereby re-offers to enter into the enclosed Consent Order with you in lieu of an informal conference in this matter. Please review this document, and should you consent to its terms, sign it in the presence of a notary public. In order for this Consent Order to become effective, you must return the entire document bearing your witnessed signature to the Board office on or before *July 23, 2015*. Upon its receipt in the Board office, the Consent Order will be entered and the informal conference will be cancelled. You will receive a certified copy of the Consent Order, bearing the date of entry, shortly thereafter. Should the Board not receive this signed Consent Order from you by 5:00 p.m. on July 23, 2015, the Board will proceed with the informal conference as scheduled.

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 approve your application for licensure;
- The Committee may approve your application and issue a reprimand, impose a monetary penalty or terms and conditions, or place you on probation; or
- The Committee may deny your application.

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
Peggy Wood, Monitoring Program Manager