



COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.
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

August 31, 2010

Barry Richard Rick
c/o Nancy Rick
12852 Drake Circle, NW
Coon Rapids, MN 55448

CERTIFIED MAIL

**DUPLICATE COPY
VIA FIRST CLASS MAIL
DATE 8/31/10**

RE: License No.: 0001-202828

Dear Mr. Rick:

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your license to practice nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered August 31, 2010. You are hereby advised that, pursuant to Section 54.1-2409.1 of the Code, any person who practices a profession or occupation after having their license or certificate to do so suspended shall be guilty of a felony. Please return your license to Jay P. Douglas, Executive Director of the Board of Nursing, at the above address, immediately upon receipt of this letter.

Section 54.1-2409 of the Code further provides that you may apply to the Board of Nursing ("Board") for reinstatement of your license, and shall be entitled to a hearing not later than the next regular meeting of the Board after the expiration of sixty days from the receipt of such reinstatement application. You have the following rights, among others: to be represented by legal counsel, to have witnesses subpoenaed on your behalf, to present documentary evidence and to cross-examine adverse witnesses. The reinstatement of your license shall require the affirmative vote of three-fourths of the members present of the Board of Nursing.

Should you wish to petition the Board of Nursing for reinstatement of your license, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4599.

RECEIVED

SEP 02 2010

VA BD OF NURSING

Sincerely,

Dianne L. Reynolds-Cane, M.D., Director
Department of Health Professions

Enclosures
Case # 133991



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CERTIFICATION OF DUPLICATE RECORDS

I, Dianne L. Reynolds-Cane, M.D., Director of the Department of Health Professions, hereby certify that the attached Order of Suspension dated August 9, 2010, regarding Barry Richard Rick, R.N., is a true copy of the records received from the Minnesota Board of Nursing.

D. Reynolds-Cane MD

Dianne L. Reynolds-Cane, M.D.

Date: _____

8-31-10

**BEFORE THE MINNESOTA
BOARD OF NURSING**

In the Matter of
Barry R. Rick, R.N.
License No. 98853-3

ORDER OF SUSPENSION

WHEREAS, the Minnesota Board of Nursing ("Board") is authorized pursuant to Minnesota Statutes sections 148.171 to 148.285 to license and regulate persons who hold licenses to practice nursing in the State of Minnesota and is further authorized pursuant to Minnesota Statutes sections 214.10 and 214.103 to review complaints against licensed nurses and to initiate appropriate disciplinary action.

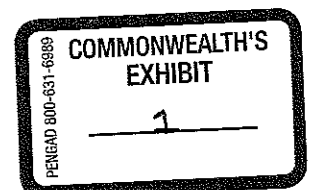
WHEREAS, Barry R. Rick, R.N. ("Licensee"), has been and is now subject to the jurisdiction of the Board from which he holds a license to practice professional nursing in the State of Minnesota.

WHEREAS, pursuant to Minnesota Statutes section 270.72, subdivision 1, the Board must revoke the license of a nurse upon receipt of notice from the Minnesota Commissioner of Revenue that the nurse owes the state \$500 or more in delinquent taxes, penalties, or interest or has not filed tax returns.

WHEREAS, on July 12, 2010, the Board received a Notice of License Revocation from the Minnesota Commissioner of Revenue, which advised the Board that Licensee has an outstanding tax liability, and under Minnesota Statutes sections 270.72 and 16D.08, subdivision 2, the Board must revoke Licensee's license to practice nursing in the State of Minnesota. Revenue Notice No. 96-1: Collection; Revocation of Licenses; Definition, however, states that the Department of Revenue "deems the term revoke to mean that the taxpayer's license will be *suspended* until the tax obligation has been satisfied and the tax clearance certificate has been issued." (Emphasis added.)

ORDER

1. IT IS HEREBY ORDERED that Licensee's license to practice professional nursing in the State of Minnesota is **SUSPENDED**, effective immediately. During the period of



suspension, Licensee shall not engage in the practice of nursing, as defined by Minnesota Statutes section 148.171, in the State of Minnesota; nor use any abbreviation or other designation tending to imply licensure as a professional or practical nurse pursuant to Minnesota Statutes section 148.281, subdivision 1(4).

2. IT IS FURTHER ORDERED that Licensee shall surrender to the Board his current registration certificate. Surrender shall be accomplished by delivering personally or by mail said certificate to the Minnesota Board of Nursing, c/o Shirley A. Brekken, Executive Director, Suite 200, 2829 University Avenue S.E., Minneapolis, Minnesota 55414, within ten days from the date of this Order.

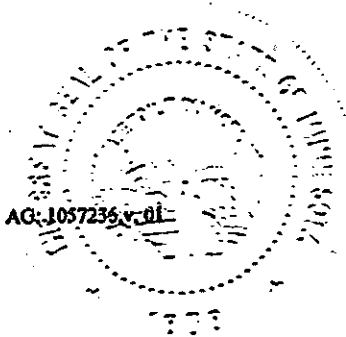
3. IT IS FURTHER ORDERED that the suspension shall remain in effect until such time as the Board receives a tax clearance certificate from the Department of Revenue indicating that Licensee does not owe any delinquent taxes, penalties, or interest and has filed all required returns. In addition, Licensee must comply with the following terms:

a. If Licensee seeks reinstatement of his license within 24 months of the date of this Order, Licensee shall meet all reregistration requirements in effect at the time Licensee seeks reinstatement, including but not limited to submission of the reregistration application form and payment of the reregistration fee.

b. If Licensee does not seek reinstatement of his license within 24 months of the date of this Order, Licensee may be required to meet other licensure or reregistration requirements consistent with Minnesota Statutes section 148.171, *et seq.*

Dated: Aug 9, 2010

MINNESOTA BOARD OF NURSING



By: Rene Carrquist
for SHIRLEY A. BREKKEN
Executive Director