

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: JENNIFER L. PENCILLE, R.N. REINSTATEMENT APPLICANT
 LICENSE NO.: 0001-224403**

NOTICE OF HEARING

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Jennifer L. Pencille, R.N., who, prior to its mandatory suspension by the Department of Health Professions on June 30, 2011, held License No. 0001-224403, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on January 23, 2012, at 11:00 a.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Ms. Pencille will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Pencille has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. Pencille desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to receive and act upon Ms. Pencille’s application for reinstatement of her license to practice nursing in Virginia, and to inquire into evidence that Ms. Pencille may have violated certain laws and regulations governing nursing practice in Virginia, as more fully set forth in the Statement of Particulars below.

The burden rests upon Ms. Pencille, as the applicant, to demonstrate that she is capable of resuming the safe and competent practice of nursing in Virginia.

Pursuant to § 54.1-2409 of the Code, reinstatement of Ms. Pencille's license requires the affirmative vote of three-fourths of the members of the Board in attendance at the hearing.

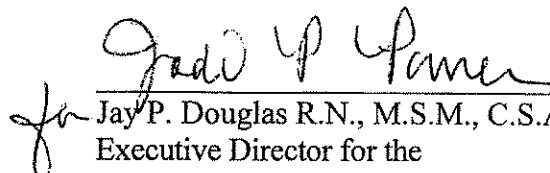
STATEMENT OF PARTICULARS

The Board alleges that:

1. Jennifer L. Pencille, R.N., may have violated § 54.1-3007(6) of the Code in that she may be unsafe to practice professional nursing due to her admitted substance abuse. Further, on or about February 23, 2011, Ms. Pencille was convicted of misdemeanor driving while intoxicated first offense, with a child, in the Culpeper County, Virginia, General District Court.

2. Ms. Pencille may have violated of § 54.1-3007(4) of the Code in that on or about April 21, 2011, Ms. Pencille was found guilty and convicted of felony possession of a controlled drug in the Circuit Court of Fairfax County, Virginia. This conviction formed the basis for the suspension of her license by the Department of Health Professions. On or about June 23, 2011, Ms. Pencille was convicted of felony hit and run in the Circuit Court of Stafford County, Virginia. On or about October 31, 2011, Ms. Pencille pled guilty to and was convicted of felony failure to stop after an accident in the Orange County, Virginia, Circuit Court.

FOR THE BOARD


Jay P. Douglas R.N., M.S.M., C.S.A.C.
Executive Director for the
Board of Nursing

ENTERED: January 12, 2012