



COMMONWEALTH of VIRGINIA

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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

March 3, 2015

Julian Hendrick, C.N.A. Reinstatement Applicant
14 Beatrice Drive
Hampton, Virginia 23666

CERTIFIED MAIL
9414 7266 9904 2003 2620 46

Re: VA Certificate No.: 1401-058844
Suspension Date: July 20, 2006

Dear Mr. Hendrick:

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 **April 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 certificate to practice as a nurse aide in the Commonwealth of Virginia, which was suspended by an Order of the Board entered July 20, 2006, 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 as a nurse aide due to substance abuse and/or mental illness as evidenced by the following:

a. On or about March 13, 2013, you were convicted of one count of drunk in public in the Hampton General District Court, Hampton, Virginia.

b. On or about June 6, 2006 you were convicted of one count of driving under the influence of alcohol in the Hampton General District Court. Your blood alcohol level was noted to be 0.23 mg/dl at the time of your arrest.

c. By your own admission, you previously received treatment with Hampton Veterans

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Affairs Medical Center for an addiction to cocaine and alcohol dependency as well as mental illness; however, you have not received any substance abuse counseling and/or treatment since 2006. Additionally, you are currently under the care of a psychiatrist for treatment of bipolar disorder.

2. You may have violated §54.1-3007(2) and 18 VAC 90-25-100(1)(b) of the Regulations Governing the Certification of Nurse Aides in that on your application for reinstatement of your certificate to practice as a nurse aide, received by the Board on October 2, 2014, you provided false information as evidenced by the following:

a. You indicated your reinstatement request was due to a lapse in your certificate; however, your right to renew your certificate was indefinitely suspended by a Board Order entered July 20, 2006.

b. You falsely answered "no" to the question pertaining to criminal convictions. You were convicted of one count of driving under the influence in 2006 and one count of drunk in public in 2013.

c. You answered "no" to the question asking whether you had ever had action taken against a certificate in a health related field. As discussed above, your right to renew your certificate was suspended in July, 2006 by a Board Order.

d. You answered "no" to the question asking whether you have a mental, physical, or chemical dependency that may interfere with your ability to practice as a nurse aide. By your own admission you have previously battled addiction to cocaine and alcohol. Additionally, you are currently receiving treatment for bipolar disorder.

The burden rests on you to demonstrate that you are prepared to resume safe and competent practice as a nurse aide in the Commonwealth of Virginia.

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 certificate to practice as a nurse aide in the Commonwealth without restriction;
- The Committee may reinstate your certificate 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 certificate.

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 March 25, 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/lba

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Special Conference Committee Members
Wendy Deaner, Adjudication Specialist
Peggy Wood, Monitoring Program Coordinator