



COMMONWEALTH of VIRGINIA

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Virginia Board of Nursing
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March 31, 2006

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CERTIFIED MAIL-RETURN RECEIPT REQUESTED (ARTICLE NO. 71603901984942331648)

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

RE: Certificate No. 1401-058844, Expires June 30, 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 18, 2006, at 2:00 p.m.**, at the Department of Health Professions, 6603 W. Broad Street, Fifth Floor, Richmond, Virginia 23230. You may be represented by an attorney at the conference.

The Special Conference Committee ("Committee"), which is comprised of at least two members of the Virginia Board of Nursing, will inquire into allegations that you may have violated certain laws and regulations governing nurse aide practice in Virginia. Specifically:

1. During the course of your employment with St. Francis Nursing Center, Newport News, Virginia, you may have violated § 54.1-3007(6) of the Code, in that:
 - a. On or about March 25, 2005, you were asked to submit to a urine drug screen while on duty as the result of an anonymous telephone call. You were sent home after providing the urine, which tested positive for cocaine.
 - b. A coworker noted you to be "laughing and giddy" and reported your "eyes seemed to be wide open and bulging" when you reported for duty on March 25, 2005. Further, it was reported that your gait seemed "very bouncy," which was different than your usual gait while working.
 - c. You subsequently met with Employee Assistance Program representatives of your employer and were referred to the Health Practitioners Intervention Program ("HPIP").
 - d. On or about May 25, 2005, you signed a participation contract with the HPIP. Subsequently on or about July 11, 2005, you signed a Recovery Monitoring Contract. This was done with the understanding and acknowledgement that you have an "impairment" due to physical or mental

disability, including, but not limited to substance abuse, that substantially alters the ability of a practitioner to practice his profession with safety to his patients and the public, as defined in § 54.1-2515 of the Code .

- e. On or about September 25, 2005, your employment was terminated for excessive absenteeism in August and September, and your employer notified the HPIP.
 - f. On or about December 16, 2005, you were dismissed from the HPIP for noncompliance.
2. You may have violated § 54.1-3007(6), in that you have used drugs to the extent and/or have a mental illness that may render you unsafe to practice. During your interview on or about November 8, 2005, you acknowledged the following information to the investigator with the Department of Health Professions:
- a. You admit you began using alcohol and cocaine to combat back pain beginning in August 2004.
 - b. You received intensive outpatient substance abuse treatment through the Department of Veteran Affairs Medical Center, Hampton, Virginia. You were discharged from treatment on or about April 26, 2005, due to your continued use of cocaine and alcohol as evidenced by a positive drug screen. You were readmitted to the treatment program in May 2005. You relapsed again in June 2005, but successfully completed the treatment program on or about July 14, 2005. You have also completed a 12-week aftercare program.
 - c. You have received psychiatric care at the Veterans Administration Medical Center for depression. However, there is additional information related to your mental health as more fully set out in confidential Attachment A.
3. You may have violated § 54.1-3007(2) of the Code and 18 VAC 90-25-100(2)(d) of the Board of Nursing Regulations, in that:
- a. On or about September 29, 2004, you falsified your application with St. Francis Nursing Center, in that you stated that you left the employ of Eastern State Hospital because you relocated, when, in fact, your employment was terminated for failing to report for duty and were considered a “no call, no show,” on February 24, 2003. You also failed to list your employment with Northampton Convalescent Center, Virginia Beach, from March 26, 2003 through January 12, 2004, which was terminated on that date for failing to report for duty and were considered a “no call, no show”.
 - b. On or about April 28, 2004, you falsified your application for employment with Regency Health Care Center in that you indicated you left the employ of Eastern State Hospital because you “relocated”, when, in fact, your employment was terminated as noted above. You also failed to list your employment with Northampton Convalescent Center, Virginia Beach, from March 26, 2003 through January 12, 2004, which was terminated on that date for failing to report for duty and were considered a “no call, no show”.
 - c. On or about March 28, 2003, you falsified your application for employment with Northampton Convalescent Center, Virginia Beach, in that you failed to list your employment with Eastern State Hospital, which was terminated on February 24, 2003 as noted above.

The Committee is authorized, after meeting with you, to take one of the following actions:

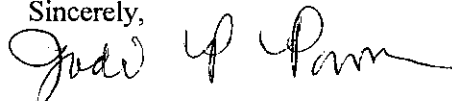
1. If the Committee finds that there is insufficient evidence to warrant further action or that the charges are without foundation, the Committee shall notify you by mail that your record has been cleared of any charge which might affect your right to practice as a nurse aide in the Commonwealth;
2. The Committee may place you on probation with such terms as it may deem appropriate;
3. The Committee may reprimand you;
4. The Committee may impose a monetary penalty pursuant to § 54.1-2401 of the Code; or
5. The Committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing. If the Committee is of the opinion that a suspension or revocation of your certificate may be justified, the Committee may offer you a consent order in lieu of 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. Please inform this office at (804) 662-9075 about whether you intend to appear at the conference at least ten (10) days prior to the scheduled date specified above. Also, please inform the Board office of a telephone number where you may be reached.

If you have any additional documents to be presented to the Committee, please bring five (5) copies of each document with you.

You have the right to information that will be relied upon by the Board in making a 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 the allegations with you and when deliberating upon your case. These documents are enclosed only with the original notice sent by certified mail, and must be claimed at the post office. Also, enclosed are copies of the relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws and regulations relating to the practice of nurse aides in Virginia that are cited in this notice.

Sincerely,



Jodi P. Power, R.N., J.D.
Deputy Executive Director
Nurse Aide Registry Manager

JPP:gm/jjr
Enclosures

cc: Robert A. Nebiker, Director
Committee Members
Anne Joseph, Deputy Director for Adm. Proceedings
Gayle E. Miller, Adjudication Specialist
Lisa Thomas, Investigator (Case 103493)