



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

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AMENDED NOTICE OF INFORMAL CONFERENCE

February 10, 2015

Amber Harris, L.P.N.
403 N. Ivy Avenue
Highland Springs, VA 23075

BY HAND

Re: VA License No.: 0002-066126
Expiration Date: August 31, 2016

Dear Ms. Harris:

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 **February 10, 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 inquire into allegations that you may be in violation of an Order of the Board entered April 9, 2014 ("Board's Order") and will consider your October 1, 2014, petition for the modification of the terms and condition of your probation.

Specifically:

1. You may be in violation of Term No. 7 of the Board's Order, which ordered you to provide a written report from a prescribing practitioner for any prescription for a Schedule II – V controlled substance to the Board within 10 days of the date the medication was prescribed, in that you failed to notify the Board about a May 11, 2014, prescription for hydrocodone.

2. You may have violated Term No. 8 of the Board's Order, which required you to have two unsupervised, unannounced random drug screens a month from a Board-approved testing entity, to include testing for alcohol, fentanyl, methadone, opiates, and benzodiazepines, and to ensure the first set of results be

received by the Board no later than June 8, 2014, in that you failed to have the results of the required drug screens provided to the Board by that date.

3. You may be in violation of Term No. 9 of the Board's Order, which required you to attend Narcotics Anonymous support group meetings two times per week and have written evidence of attendance by a sponsor or contact person sent to the Board within 30 days of each meeting, in that you did not provide any such written evidence.

4. You may be in violation of Term No. 11 of the Board's Order, which required you to submit quarterly "Self-Reports" which include a current address, telephone number, and verification of all current employment quarterly by the last day of the months of March, June, September, and December, in that you have not submitted any Self-Reports to the Board.

5. You may be in violation of Term No. 13 of the Board's Order, which required you to conduct yourself as a licensed practical nurse in compliance with the laws and regulations governing the practice of nursing, and § 54.13007(6) of the Code in that you may be unable to safely practice nursing due to substance abuse and/or mental and/or physical illness as evidenced by your drug use relapse requiring residential treatment in September 2014.

After the informal conference, the Committee is authorized by § 54.1-2400(10) of the Code to take any of the following actions:

- 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 nursing in the Commonwealth;
- The Committee may place you on probation for such time as it may designate and subject to such terms and conditions as it may deem appropriate;
- The Committee may reprimand you;
- The Committee may modify a previous order; or
- The Committee may impose a monetary penalty.

Further, 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 suspension or revocation may be justified, the Committee may offer you a Consent Order for suspension or revocation 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. 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

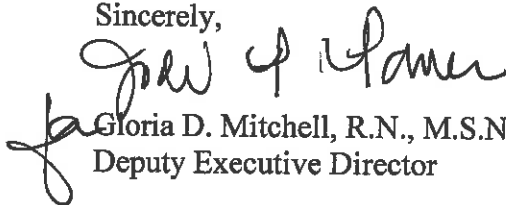
Mayland Drive, Suite 300, Henrico, Virginia 23233, by February 5, 2015. Your documents may not be submitted by facsimile or email.

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.

In the event of inclement weather, please be advised that Board of Nursing hearings will be held unless state offices are closed. Please listen to television or radio announcements to provide information about official state closings or delays. If there is a delayed opening, hearings will begin at the time of the agency opening. A recorded announcement pertaining to closings or delays will also be available by calling the main telephone number for the Department of Health Professions at (804) 367-4400.

Sincerely,



Gloria D. Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director

GDM/yrf

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Special Conference Committee Members
David W. Kazzie, Adjudication Specialist
Tonya James, Compliance Case Manager (Case No. 159265)