



COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.
Director

Department of Health Professions

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Virginia Board of Nursing
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Executive Director

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NOTICE OF INFORMAL CONFERENCE

July 31, 2013

Karen M. Bandy, R.N. Reinstatement Applicant
541 Norman Street, Apt. 3
Petersburg, Virginia 23803

CERTIFIED MAIL
7196 9008 9111 9194 6308

Re: VA License No.: 0001-135941

Dear Ms. Bandy:

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 August 28, 2013, at 2:00 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 license to practice professional nursing in the Commonwealth of Virginia, which was suspended by an Order of the Board entered October 1, 2010, and will inquire into allegations that you may have violated certain laws and regulations governing nursing practice in Virginia.

Specifically:

1. You may have violated § 54.1-3007(6) of the Code in that you may be unable to safely practice nursing due to your admitted substance addiction. You signed a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") on May 30, 2013, in which you acknowledged a history of substance abuse, and you acknowledged in an interview with an investigator for the Department of Health Professions on or about June 5, 2013, that you have had a benzodiazepine addiction. You were dismissed from the HPMP on July 19, 2013, due to your failure to enter and complete substance abuse treatment as recommended.
2. You may have violated § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(n) of the Regulations Governing the Practice of Nursing ("Regulations") in that in an interview with an investigator for the Department of Health Professions on or about April 24, 2013, you denied having an addiction to benzodiazepines.
3. You may have violated § 54.1-3007(1) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Regulations in that on your application for reinstatement of your license, you answered "no" to the question of whether you have a

mental, physical, or chemical dependency condition which could interfere with your current ability to practice nursing when you actually have an admitted addiction to benzodiazepines.

The burden rests on you, as the applicant, to demonstrate that you are able to resume the safe and competent practice of professional nursing.

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 license to practice professional nursing in the Commonwealth without restriction;
- The Committee may reinstate your license 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 license.

Further, the Committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing.

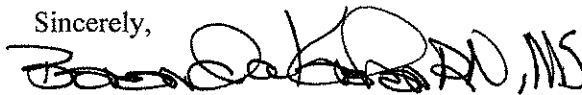
If you fail to appear at the informal conference, the Committee may proceed to hear the case in your absence and may take any of the actions outlined above. At least ten days prior to the scheduled date of the conference, please inform this office at (804) 367-4515, or in writing at the address listed 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 August 23, 2013. 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
Kevin Almeida, Senior Investigator (Case no. 150071)
Peggy Wood, Monitoring Program Manager