



COMMONWEALTH of VIRGINIA

Robert A. Nebiker
Director

Department of Health Professions

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Virginia Board of Nursing
Jay P. Douglas, RN, MSM, CSAC
Executive Director

May 15, 2003

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Margaret O. Phillips, R.N.
216 Wilderness Lane
Locust Grove, Virginia 22508

CERTIFIED MAIL
7160 3901 9844 2317 2920

RE: License No.: 0001-114915
Expiration Date: 4/30/05

Dear Ms. Phillips:

This is official notification that an Informal Conference will be held, pursuant to § 2.2-4019, § 2.2-4021, § 54.1-2400(10) and § 54.1-3010 of the Code of Virginia (1950), as amended, on June 10, 2003, at 9:00 a.m., in the offices of the Department of Health Professions, 6603 West Broad Street, Fifth Floor, Richmond, Virginia. You may be represented by an attorney at the Informal Conference.

The Special Conference Committee, which is comprised of two or three members of the Virginia Board of Nursing, will inquire into allegations that you may have violated certain laws and regulations related to the practice of nursing. Specifically:

1. During the course of your employment with Culpeper Regional Hospital, Culpeper, Virginia, you may have violated § 54.1-3007(2) and (6) of the Code of Virginia (1950), as amended, in that, on or about April 22 and 23, 2002, personnel reported that you smelled of alcohol. On or about April 23, 2002, you submitted to a breath alcohol test, which resulted in a reading of 0.23. A second confirming breath alcohol test resulted in a reading of 0.19. As a result, your employment was terminated.

2. During the course of your employment with Excel Staffing Specialists, Fredericksburg, Virginia, at Pratt Medical Center, Fredericksburg, Virginia, you may have violated § 54.1-3007(2) and (6) of the Code of Virginia (1950), as amended, in that, on or about May 8, 2002, shortly after you arrived, you abruptly left the facility. In your February 3, 2003 interview with the Department of Health Professions' Investigator, you stated that you left the facility because you had drunk heavily the prior evening and knew you should not be at work because you could not think clearly.

Virginia Board of Nursing 1903 – 2003
Regulating Nursing – Protecting The Public

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Board of Nursing Home Administrators - Board of Optometry - Board of Pharmacy - Board of Counseling
Board of Physical Therapy - Board of Psychology - Board of Social Work - Board of Veterinary Medicine
Board of Health Professions

3. You may have violated § 54.1-3007(6) of the Code of Virginia (1950), as amended, in that, on or about November 23, 1999, in Fredericksburg General District Court, you were found guilty of driving while under the influence, and sentenced to twelve (12) months in jail, with all but 48 hours suspended. Your driver's license was suspended for three (3) years and you were referred to the Virginia Alcohol Safety Action Program ("VASAP").

4. You may have violated § 54.1-3007(4) of the Code of Virginia (1950), as amended, in that, on or about November 10, 1999, in Fredericksburg General District Court, you were found guilty of three (3) counts of contributing to the delinquency of a minor, a misdemeanor. You received a sentence of 45 days in jail and placed on probation until May 2003.

Since the allegations listed above involve impairment, please be advised of the availability of making application to the Health Practitioners' Intervention Program ("Program") which is available to all health care practitioners licensed in Virginia. A brochure about the program is enclosed. Should you enter into a written agreement with the Program prior to your Informal Conference, the Committee will take that into consideration and could, among other options, decide to close your case with no disciplinary action.

Should you decide not to enter into a written agreement with the Program prior to your meeting with the Conference Committee, the Conference 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 nursing in the Commonwealth;
2. The Committee may place your license 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 Conference Committee is of the opinion that a suspension or revocation of your license 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 Conference Committee will proceed to hear the case in your absence, and may take any of the actions outlined above.

At least ten (10) days prior to the scheduled date of the conference, please inform this office of your telephone number and whether you intend to appear at the conference. This can be done by calling our offices at (804) 662-9950 or by sending us a letter at the address listed above.

You have the right to information which will be relied upon by the Board in making a decision. Therefore, I have enclosed a copy of the documents which 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. Please bring these documents with you.

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

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 nursing in Virginia that are cited in this notice.

Sincerely,

A handwritten signature in cursive script that reads "Susan Bell Rosen".

Susan Bell Rosen, RN, FNP, JD
Deputy Executive Director, Discipline

Enclosures

cc: Robert A. Nebiker, Director, Department of Health Professions
James L. Banning, Director for Administrative Proceedings
Committee members
Patricia L. Larimer, Senior Adjudication Analyst
Sue S. Zich, Senior Investigator (Case No. 85742)
Donna P. Whitney, L.P.N., C.S.A.C., Intervention Program Manager