



# COMMONWEALTH of VIRGINIA

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

## Department of Health Professions

Perimeter Center  
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Virginia Board of Nursing  
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Executive Director

Board of Nursing (804) 367-4555  
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### NOTICE OF INFORMAL CONFERENCE BEFORE AN AGENCY SUBORDINATE

May 5, 2011

Helen R. Robinson, R.N., L.N.P.  
595 Simpkins Road, NW  
Willis, VA 24380

**CERTIFIED MAIL**  
**71603901984921987651**

114 Rocky Creek Lane  
Floyd, VA 24091

RE: VA R.N. License No.: 0001-112937  
VA NP License No.: 0024-112937  
VA Prescriptive Authority: 0017-001742  
Expiration Date: March 31, 2011

Dear Ms. Robinson:

This letter is official notification that an informal conference will be held on **June 21, 2011, at 1:00 p.m.**, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia. In accordance with §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), and 18 VAC 90-30-240 of the Regulations Governing the Licensure of Nurse Practitioners, this informal conference will be held before an agency subordinate of the Board of Nursing ("Board") and of the Committee of the Joint Boards of Nursing and Medicine ("Committee of the Joint Boards"). This informal conference will be convened as a public meeting pursuant to § 2.2-3700 *et seq.* of the Code. The agency subordinate will inquire into allegations that you may have violated certain laws and regulations governing professional nursing and nurse practitioner practice in Virginia.

Specifically, you may have violated §54.1-3007(6) of the Code in that you may be unable to safely practice nursing and as a nurse practitioner due to substance abuse or dependence, as evidenced by the following: on or about December 7, 2008, you were involved in a single-vehicle motor vehicle accident and

were found to have a blood alcohol level of 0.259 percent. You acknowledged that you may suffer from chemical abuse or dependence in signing a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP;" *formerly, the Health Practitioners' Intervention Program*) on February 4, 2009. You were dismissed from the HPMP on or about February 18, 2011, for failing to comply with the urine toxicology screening program.

In its deliberations, the agency subordinate may use the Sanction Reference Points System, as contained in the Sanction Reference Manual. The manual, which is a guidance document of the Board, may be accessed at <http://www.dhp.virginia.gov/nursing>. Please click on *Guidance Documents*, then select #90-7. You may also request a paper copy from the Board office by calling (804) 367-4515.

After consideration of all information, the agency subordinate may:

- If the agency subordinate finds that there is insufficient evidence to warrant further action or that the charges are without foundation, notify you by mail that your record has been cleared of any charge which might affect your right to practice nursing and/or as a nurse practitioner in the Commonwealth;
- Recommend findings of fact, conclusions of law and a sanction, to include a reprimand, placing you on probation with terms, suspension or revocation of your licenses, or imposing a monetary penalty pursuant to § 54.1-2401 of the Code.

Further, the agency subordinate may refer this matter for formal administrative proceedings pursuant to § 2.2-4020 of the Code.

#### **Boards' Review of Agency Subordinate's Recommended Decision**

If you **appear in person or by counsel at the informal conference**, the recommendation of the agency subordinate will be presented to a quorum of the Board and to a quorum of the Committee of the Joint Boards. The Board and the Committee of the Joint Boards may accept or modify the recommendation, or reject the recommendation and move the case to formal hearing. If you do not agree with the decision of the Board and/or the Committee of the Joint Boards, you have the right to a formal administrative hearing before the Board and/or the Committee of the Joint Boards.

If you **fail to appear in person or by counsel at the informal conference**, the recommendation of the agency subordinate will be presented to a quorum of the Board and the Committee of the Joint Boards. The Board and the Committee of the Joint Boards may accept or modify the recommendation, or reject the recommendation. The decisions regarding the agency subordinate's recommendation are final orders that can only be appealed to circuit court as provided by Rule 2A:2 of the Supreme Court of Virginia.

You have the right to information that will be relied upon by the agency subordinate in making a decision. Therefore, I enclose a copy of the documents that will be distributed to the agency subordinate, and will be considered 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, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

To facilitate this proceeding, you should submit five copies of any documents you wish the agency subordinate to consider to the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, VA 23233, by June 16, 2011. Your documents may not be submitted by facsimile or email.

You may be represented by an attorney at the informal conference. If you obtain counsel, you should do so as soon as possible, because absent good cause to support a request for a continuance, the informal conference will be held on **June 21, 2011**. A request to continue this proceeding must state **in detail** the reason for the request and must establish good cause. Such request must be made, in writing, to me at the address listed on this letter and must be received by 12 noon on June 16, 2011. Only one such motion will be considered. Absent critical circumstances, such as personal or family illness, a request for a continuance after June 16, 2011, will not be considered.

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.

Please advise the Board, in writing, of your intention to be present. If you have any questions regarding this notice, please contact this office, at (804) 367-4543.

Sincerely,



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

Enclosures

cc: Anne Joseph, Deputy Director, Administrative Proceedings Division  
Patricia Sheehan, Senior Investigator (Case no. 137209)  
Agency Subordinate  
Peggy Wood, Monitoring Program Manager