



# 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

Board of Nursing (804) 367-4515  
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FAX (804) 527-4455

October 1, 2014

Kimberly Mills, L.P.N., Reinstatement Applicant  
413 Broadway Avenue  
Oak Hill, West Virginia 25901

**CERTIFIED MAIL**  
**9414 7266 9904 2003 2329 64**

Re: Reinstatement Applicant

Dear Ms. Mills:

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 October 27, 2014 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 receive and act upon your application for the reinstatement of your license to practice as a practical nurse in the Commonwealth of Virginia, which was indefinitely suspended by an Order of the Board entered September 30, 2008 and will inquire into evidence that grounds may exist to deny your application.

Specifically:

1. You may have violated §54.1-3007(4) of the Code in that you have two convictions for misdemeanor offenses, both of which are considered crimes of moral turpitude. On or about March 3, 2008, in the Henry County, Virginia, General District Court, you were found guilty of one count of passing a bad check, larceny. On or about July 28, 2011, in the Albemarle County, Virginia, General District Court, you were found guilty of one count of embezzlement.

2. You may have violated §54.1-3007(6) of the Code in that you may be unable to safely practice nursing due to substance abuse and/or mental illness, as evidenced by the following:

a. On or about June 19, 2008, you were found guilty of one count of driving under the influence of alcohol in the Roanoke County, Virginia, General District Court.

b. On or about March 10, 2008, you were admitted to Lewis Gale Medical Center, Center for Behavioral Health, Salem, Virginia, under a temporary detention order due to suicidal ideations and depression; at the time of your admission you tested positive for cocaine. You were discharged on March 17, 2008 with a diagnosis of alcohol/cocaine dependence, depressive disorder and sleep disorder.

3. You may have violated §§54.1-3007(3) and 54.1-3008(A)(5) of the Code in that you worked as a practical nurse after your license was suspended. You were employed by Lewis Gale Medical Center as a practical nurse, and worked your scheduled shifts until August 5, 2008. Your license was summarily suspended on July 2, 2008. A Board Order to that effect was sent by certified mail to your address of record and signed for by your father on July 5, 2008.

The burden rests on you to demonstrate that you are prepared to resume safe and competent practice as a practical nurse.

Since the allegations listed above involve impairment, please be advised that you may make application to the Health Practitioners' Monitoring Program ("HPMP"), which is available to all health care practitioners licensed in Virginia. Information about the HPMP is enclosed. Should you enter into a written agreement with the HPMP prior to your informal conference, the Committee will take that into consideration when deciding your case.

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 as a practical nurse 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) 367-4502, 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 October 17, 2014. 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,

A handwritten signature in black ink, appearing to read "Brenda Krohn". The signature is stylized and somewhat cursive.

Brenda Krohn, R.N., M.S.  
Deputy Executive Director  
Nurse Aide Registry Manager

BK/sts

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division  
Special Conference Committee Members  
Wendy Deaner, Adjudication Specialist  
Jennifer Baker, Senior Investigator (Case No. 121575)  
Michele Stanley, Senior Investigator (Case No. 156131)  
Peggy Wood, Monitoring Program Coordinator