

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

KIMBERLY M. MILLS, L.P.N.

NOTICE OF HEARING

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Kimberly M. Mills, L.P.N., who, prior to its summary suspension by the Board of Nursing on June 30, 2008, held License No.0002-063654 which was set to expire on February 28, 2010, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on September 15, 2008, at 2:00 p.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Richmond, Virginia 23233, at which time Ms. Mills will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Mills has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. Mills desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to inquire into evidence that Kimberly M. Mills, L.P.N. may have violated certain laws and regulations governing nursing practice in Virginia, as more fully set forth in the Statement of Particulars below.

STATEMENT OF PARTICULARS

The Board alleges that:

1. Kimberly M. Mills, L.P.N. may have violated § 54.1-3007 (6) of the Code in that she suffers from alcohol and drug dependence, and mental illness and may be unsafe to practice, as evidenced by the following:

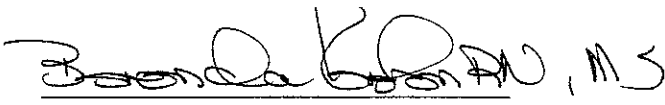
- a. On or about March 11, 2008, by her own admission, she was hospitalized after using cocaine and alcohol and taking medication prescribed to family members.
- b. During the course of her employment with Med Request, Martinsville, Virginia (“Med Request”), on or about May 12, 2008, Ms. Mills tested positive for cocaine and hydrocodone (schedule III) for which she did not have a valid prescription. She also told her employer that she had a problem with cocaine.
- c. During an interview with the Department of Health Professions investigator on or about May 15, 2008, Ms. Mill refused to take a drug test because, by her own admission, she recently used cocaine and Lortab (hydrocodone, schedule III) for which she did not have a valid prescription.

2. Ms. Mills may have violated § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations in that:

- a. On her application for employment with Blue Ridge Rehab Center, Martinsville, Virginia (“Blue Ridge”), dated January 14, 2008, when asked her reason for leaving Memorial Hospital of Martinsville and Henry County, Martinsville, Virginia (“Memorial Hospital”), Ms. Mills wrote “changes needed,” when her employment was actually terminated.

b. On her application for employment with Med Request, dated April 1, 2008, when asked her reason for leaving Memorial Hospital, Ms. Mills wrote “staffing issues,” when her employment was actually terminated. Ms. Mills also failed to list her employment with Blue Ridge.

FOR THE BOARD


for Jay P. Douglas R.N., M.S.M., C.S.A.C.
Executive Director for the
Board of Nursing

ENTERED: July 2, 2008