



COMMONWEALTH of VIRGINIA

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Director

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Virginia Board of Nursing
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NOTICE OF INFORMAL CONFERENCE

September 17, 2010

Myra Feldman, R.N. Reinstatement Applicant
5632 Parkland Court
Virginia Beach, VA 23464

CERTIFIED MAIL
7160 3901 9848 6290 9712

Re: Virginia License No.: 0001-086745
Expiration Date: April 11, 2008

Dear Ms. Feldman:

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 12, 2010, at 10:30 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 consider your application for the reinstatement of your license to practice professional nursing in the Commonwealth of Virginia and will inquire into allegations that you may have violated certain laws and regulations governing professional nursing practice in Virginia, which was suspended by an Order of the Board entered April 11, 2008.

Specifically, you may be in violation of § 54.1-3007(6) of the Code in that you may be unable to safely practice professional nursing due to mental illness, as evidenced by the following:

1. From on or about June 10, 2008, to June 20, 2008, you were admitted to the Virginia Beach Psychiatric Center, Virginia Beach, Virginia, on a temporary detention order, due to delusional and paranoid thoughts. You also had suicidal and homicidal ideations prior to your admission. You were diagnosed as having a psychotic disorder not otherwise specified.
2. From on or about December 27, 2008, to January 11, 2009, you were admitted to the Virginia Beach Psychiatric Center on a temporary detention order, and you were diagnosed with chronic paranoid

schizophrenia. It was noted that you have poor insight into your illness and your judgment was impaired. Further, you had not been compliant with your outpatient treatment or medications.

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.

The burden of providing evidence satisfactory to the Board that you are prepared to resume the competent practice of professional nursing with reasonable skill and safety to patients rests with you.

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 the Committee is of the opinion that suspension or revocation may be justified, the Committee may offer you a Consent Order for suspension or revocation in lieu of 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 October 5, 2010. 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, R.N., M.S.", with a stylized flourish at the end.

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
James E. Rutkowski, Adjudication Specialist (133915)
Peggy Wood, Monitoring Program Manager