



COMMONWEALTH of VIRGINIA

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

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367-4400
FAX (804) 527-4475

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

Board of Nursing (804) 367-4555
Nurse Aide Registry (804) 367-4639
FAX (804) 527-4455

NOTICE OF INFORMAL CONFERENCE BEFORE AN AGENCY SUBORDINATE

August 31, 2012

Kimberly Anderson, R.N. Applicant
4741 Shallowford Circle
Virginia Beach, Virginia 23462

CERTIFIED MAIL
71969008911101619094

RE: ME License No.: RN53135 with Multistate License Privilege
Expiration Date: January 13, 2014

Dear Ms. Anderson:

This letter is official notification that an informal conference of the Virginia Board of Nursing ("Board") will be held on **October 17, 2012, at 9:00 a.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"), this informal conference will be held before an agency subordinate of the Board of Nursing. This informal conference will be convened as a public meeting pursuant to § 2.2-3700 *et seq.* of the Code. The agency subordinate will receive and act upon your application for licensure by endorsement to practice professional nursing in the Commonwealth of Virginia, and will inquire into allegations that you may have violated certain laws and regulations governing nursing practice in Virginia.

Specifically:

1. You may have violated § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(e) and (f) of the Regulations Governing the Practice of Nursing in that during the course of your employment with Hartland Home Health Care and Hospice, Virginia Beach, Virginia, between December 22, 2011 and January 11, 2012, you were assigned to provide Foley catheter care and wound/decubitus care to Client A, who suffers from advanced dementia and is bed confined. You failed to provide proper decubitus care to Client A, which

resulted in her admission to the hospital for sepsis and a 6 cm x 6 cm Stage IV decubitus ulcer on her coccyx bone. Further, you failed to document any progression in the size of the decubitus ulcer, urine culture and sensitivity, Prothrombin Time and the International Normalized Ratio.

2. You may have violated § 54.1-3007(7) of the Code in that on or about June 16, 2011, you entered into a Consent Agreement with the State of Maine Board of Nursing. This action was a result of your failure to comply with health and safety requirements, and an error in prescribing, dispensing or administering medication.

Please see Attachment I for the name of the client referred to above.

The burden rests on you, as the applicant, to demonstrate that you meet the requirements of 54.1-3018 of the Code.

After consideration of all information, the agency subordinate may:

- Approve your application for licensure by endorsement;
- Recommend to the Board that your application be approved with a reprimand, a monetary penalty, or terms and conditions, which may include placing you on probation;
- Recommend to the Board that your application be denied;
- 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 license/certificate/registration, or imposing a monetary penalty pursuant to § 54.1-2401 of the Code.

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

Board's 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. The Board 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, you have the right to a formal administrative hearing before the Board.

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. The Board may accept or modify the recommendation, or reject the recommendation. The Board's decision regarding the agency subordinate's recommendation is a final order 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.**

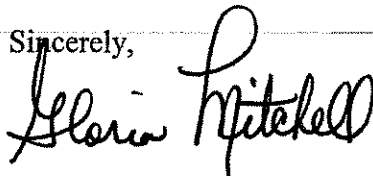
To facilitate this proceeding, you should submit five copies of any documents you wish the agency subordinate to consider to the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, VA 23233, by October 10, 2012. Your documents may not be submitted by facsimile or email.

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 **October 17, 2012**. 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 October 10, 2012. Only one such motion will be considered. Absent critical circumstances, such as personal or family illness, a request for a continuance after October 10, 2012, 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 G. Joseph, Deputy Director, Administrative Proceedings Division
Cynthia E. Gaines, Adjudication Specialist
June Morrison, R.N., B.S.N., Senior Investigator (Case No. 143280)
Agency Subordinate