

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: WENDY H. MARKS, R.N.
License No.: 0001-119612

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”), Wendy H. Marks, who, prior to the summary rescission of the stay of its indefinite suspension by the Board of Nursing on June 3, 2014, held License No. 0001-119612 to practice professional nursing in Virginia, 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 July 17, 2014, at 1:00 p.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Ms. Marks will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Marks 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. Marks 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, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to inquire into evidence that Wendy H. Marks, R.N., may have violated certain terms and conditions imposed on her as set forth in the Order of the Board entered on April 5, 2012 (“Board’s Order”), as more fully set forth in the Statement of Particulars below.

STATEMENT OF PARTICULARS

The Board alleges that Wendy H. Marks, R.N. may have violated Term No. 6 of the Board's Order, which required her to comply with all terms and conditions of the Health Practitioners' Monitoring Program ("HPMP") for the period specified by HPMP. On May 16, 2014, Ms. Marks was dismissed from the HPMP for noncompliance. The basis of her dismissal was her failure to maintain compliance with the urine screen toxicology program, and her lack of response to HPMP communication. On June 3, 2014, the Board summarily rescinded the stay of indefinite suspension of Ms. Marks' license to practice professional nursing.

FOR THE BOARD



Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director for the
Board of Nursing

ENTERED: _____

July 3rd, 2014