



# COMMONWEALTH of VIRGINIA

Sandra Whitley Ryals  
Director

Department of Health Professions  
Perimeter Center  
9960 Mayland Drive, Suite 300  
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Virginia Board of Nursing  
Jay P. Douglas, RN, MSM, CSAC  
Executive Director

Board of Nursing (804) 367-4515  
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September 18, 2009

Victoria E. Mann, R.N.  
203 Basta Drive  
Yorktown, Virginia 23692

**OVERNIGHT MAIL**  
**1Z2360872210097995**

Re: Virginia License No.: 0001-191990  
Expiration Date: February 28, 2010

Dear Ms. Mann:

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 6, 2009, at 9:00 a.m.**, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Richmond, 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 inquire into allegations that you may have violated certain laws and regulations governing professional nursing in Virginia.

Specifically:

1. You may have violated § 54.1-3007(6) of the Code in that you may be unable to safely practice as a professional nurse due to a substance abuse disorder, as you acknowledged in at least five Recovery Monitoring Contracts with HPMP dating from May 23, 2005, through July 28, 2008. On or about October 21, 2005, the Health Practitioners' Monitoring Program ("HPMP") (*formerly Virginia Health Practitioners' Intervention Program*) Committee granted you a stay of disciplinary action with the expectation that you would comply with the terms of your contracts. Due to your noncompliance with your contract, including positive drugs screens for medications for which you did not have valid prescriptions, on or about February 23, 2009, the HPMP Committee voted to vacate the stay of disciplinary action and dismissed you from the program.

2. You may have violated § 54.1-3007(2), (3) and (5) of the Code and 18 VAC 90-20-

300(A)(2)(e) of the Regulations Governing the Practice of Nursing ("Regulations") in that from on or about April 7, 2007, until on or about February 10, 2009, you submitted fraudulent Worksite Monitor Reports to HPMP, when you did not have a work site monitor at the facility and the facility was unaware of your participation in HPMP.

3. You may have violated § 54.1-3007(5) and (6) of the Code in that, by your own admission, on or about February 9, 2009, you tested positive for morphine (schedule II) for which you did not have a valid prescription. You then forged a Physician Report and submitted it to HPMP in an attempt to show that you were legitimately prescribed the medication.

In its deliberations, the Committee may use the Sanction Reference Points System, as contained in the Sanction Reference Manual. The manual, which is a guidance document of the Board, may be accessed at <http://www.dhp.virginia.gov/nursing>. Please click on *Guidance Documents*, then select #90-7. You may also request a paper copy from the Board office by calling (804) 367-4515.

After the informal conference, the Committee is authorized by § 54.1-2400(10) of the Code to take any of the following actions:

- If the Committee finds that there is insufficient evidence to warrant further action or that the charges are without foundation, the Committee shall notify you by mail that your record has been cleared of any charge which might affect your right to practice nursing in the Commonwealth;
- The Committee may place you on probation for such time as it may designate and subject to such terms and conditions as it may deem appropriate;
- The Committee may reprimand you;
- The Committee may impose a monetary penalty.

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, Richmond, Virginia 23233, by September 29, 2009. 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,



Gloria D. Mitchell, R.N., M.S.N., M.B.A.  
Deputy Executive Director, Discipline

GDM/bl

Enclosures

cc: Sandra Whitley Ryals, Director, Department of Health Professions  
Anne G. Joseph, Deputy Director, Administrative Proceedings Division  
Special Conference Committee Members  
LaRhonda J. Carter, Adjudication Specialist  
Patricia Harte-Byers, Investigator (Case No. 124509)  
Peggy Wood, Monitoring Program Manager  
Margaret F. Hardy, Esquire