



COMMONWEALTH of VIRGINIA

Sandra Whitley Ryals
Director

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

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January 26, 2007

Mary Cummings Phillips, R.N. Reinstatement Applicant
441 Maryland Avenue
Harrisonburg, Virginia 22801

CERTIFIED MAIL
71603901984942380158

Re: VA License No.: 0001-081858
Expiration Date: March 31, 1996

Dear Ms. Phillips:

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 February 27, 2007 at 10:30 a.m.**, at the Department of Health Professions, 6603 West Broad Street, Fifth Floor, Richmond, Virginia. 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 receive and act upon your application for the reinstatement of your license to practice professional nursing in the Commonwealth of Virginia, which expired on March 31, 1996, and will inquire into allegations that you may have violated certain laws and regulations governing nursing practice in Virginia.

Specifically, you may be in violation of § 54.1-3007(6) of the Code in that you have a longstanding addiction to opiates, which you admitted to an investigator for the Department of Health Professions in an interview on November 7, 2006.

The burden of providing evidence satisfactory to the Board that you are prepared to resume the competent practice of 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:

Board of Audiology & Speech - Language Pathology - Board of Counseling - Board of Dentistry - Board of Funeral Directors & Embalmers
Board of Long-Term Care Administrators - Board of Medicine - Board of Nursing - Board of Optometry - Board of Pharmacy
Board of Physical Therapy - Board of Psychology - Board of Social Work - Board of Veterinary Medicine

- The Committee may reinstate your license to practice 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) 662-9950, 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 Board of Nursing, 6603 West Broad Street, Fifth Floor, Richmond, VA 23230-1717, by February 22, 2007. Your documents may not be submitted by facsimile or email.

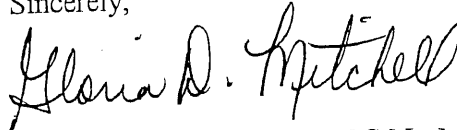
You have the right to the information on which the Board will rely in making its decision. Therefore, I have enclosed a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating 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.**

Also enclosed are copies of the relevant sections of the Administrative Process Act, which governs proceedings of this nature, as well as the relevant laws and regulations governing the practice of nursing in Virginia.

In the event of inclement weather, please be advised that Board of Nursing hearings will be held unless state offices are closed. Please listen to television or radio announcements to provide information about official state closings or delays. If there is a delayed opening, hearings will begin at the time of the agency opening. A

recorded announcement pertaining to closings or delays will also be available by calling the main telephone number for the Department of Health Professions at (804) 662-9900.

Sincerely,

A handwritten signature in cursive script that reads "Gloria D. Mitchell".

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
Andria Christian, Senior Investigator (111457)
Peggy Wood, Intervention Program Manager