



COMMONWEALTH of VIRGINIA

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Director

Department of Health Professions

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Virginia Board of Nursing
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Executive Director

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January 13, 2011

Deborah Bradley, R.N. Reinstatement Applicant
1113 Diane Drive
Moneta, Virginia 24121

CERTIFIED MAIL
71603901984862937241

Ms. Bradley:

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 9, 2011, at 1:00 p.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 receive and act upon your application for the reinstatement of your license to practice as a professional nurse in the Commonwealth of Virginia, which was suspended by an Order of the Board entered February 25, 2002, 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(1) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing ("Regulations") in that on the application for reinstatement of your registered nurse license signed May 26, 2010:

a. You answered that your license had lapsed when asked if "your license [was] in good standing in all jurisdictions where licensed," when, in fact, the right to renew your registered nurse license was indefinitely suspended pursuant to an Order of the Board entered February 25, 2002.

b. You falsely answered that you had not been convicted, pled guilty to or pled Nolo Contendere to the violation of any federal, state or other statute or ordinance constituting a felony or misdemeanor other than the convictions previously addressed by the Board, when, in fact, on or about October 5, 2001, in the Circuit Court for Franklin County, Virginia, you were convicted of contributing to the delinquency of a minor, a misdemeanor.

2. You may have violated § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(n) of the Regulations Governing the Practice of Nursing ("Regulations") in that when you were interviewed by an investigator with the Virginia Department of Health Professions on or about October 25, 2010, you failed to disclose the above referenced conviction of contributing to the delinquency of a minor. In fact, you denied having any other charges or convictions other than those convictions previously addressed by the Board.

3. You may be in violation of § 54.1-3007(6) of the Code in that you may be unable to safely practice as a registered nurse due to substance abuse and mental and/or physical illness. Specifically, pursuant to a Consent Order of the Board entered May 12, 2000, you were ordered to undergo a mental health evaluation. Although you failed to provide the evaluator with requested documentation and only a partial evaluation was performed, the recommendation was for intensive therapy; however, you have not had any treatment. Further, in a letter to the Board received April 5, 2010, you stated that you have fibromyalgia, cervical and lumbar spine degeneration and chronic fatigue syndrome.

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; or
- 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) 367-4576, 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 February 4, 2011. 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.

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) 367-4400.

Sincerely,



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

GDM/dg

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Special Conference Committee Members
Amanda E. M. Blount, Adjudication Specialist
Vicky Fox, Investigator (Case no. 134322)