



COMMONWEALTH of VIRGINIA

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

Department of Health Professions
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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

May 21, 2012

Brenda L. Patterson, R.N.
300 West Franklin Street, #1503 East
Richmond, VA 23220

CERTIFIED MAIL
71969008911101593271

300 West Franklin Street, #1202 West
Richmond, VA 23220

CERTIFIED MAIL
71969008911101593288

Re: VA License No.: 0001-151319
Expiration Date: November 30, 2012

Dear Ms. Patterson:

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 June 18, 2012, 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 inquire into allegations that you may have violated certain laws and regulations governing professional nursing practice in Virginia and will inquire into allegations that you may be in violation of an Order of the Board entered February 10, 2011 ("Board's Order").

Specifically:

1. You may have violated § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Governing the Practice of Nursing ("Regulations") in that during the course of your employment with Kindred Hospital, Richmond, Virginia:
 - a. On or about December 30, 2011, you failed to administer medications to three patients and you failed to follow proper procedure to ensure a patient was receiving parenteral nutrition as ordered.
 - b. On an unknown date, you failed to properly dispose of needles in the sharps bin and left uncapped needles in the patient's bed.

- c. On an unknown date, you administered a dose of Valium to the wrong patient.
- d. On multiple occasions, you entered patients' isolation rooms without wearing personal protective equipment.
- e. On an unknown date, you failed to document the administration of Dilaudid (hydromorphone – Schedule II) to a patient.

2. You may have violated § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations in that during the course of your employment with Southside Regional Medical Center, Petersburg, Virginia, between about September 19, 2011, and September 21, 2011:

- a. You failed to properly mix a prescribed dose of Ancef for Patient A, leading to a delay in the patient receiving his medication.
- b. You failed to properly a mix a prescribed dose of Ancef and an IV solution for Patient B, leading to a delay in the patient receiving his medication.
- c. You failed to administer Protonix and Levoxyl to Patient C as prescribed by her physician.
- d. You failed to administer Lovenox SubQ to Patient D as prescribed by her physician.

3. You may be in violation of Term No. 2(e) of the Board's Order, which required you to complete within 90 days of the entry of the Board's Order the following NCSBN online courses: *Ethics in Nursing Practice; Medication Errors: Detection & Prevention; Disciplinary Actions: What Every Nurse Should Know;* and *Professional Accountability & Legal Liability for Nurses*, in that you did not complete the courses in a timely manner.

4. You may be in violation of Term No. 2(f) of the Board's Order, which required you to have all current and all prospective employers provide a written description of the employment setting to the Board office for approval before beginning employment, in that you began working at Southside Regional Medical Center on July 21, 2011, and you did not obtain approval from the Board until September 9, 2011.

5. You may be in violation of Term No. 2(g) of the Board's Order, which required you to submit quarterly "Self-Reports", in that you did not submit the reports due on June 30, 2011, and September 30, 2011, on time.

6. You may be in violation of Term No. 2(h) of the Board's Order, which required you to return all copies of your license to practice professional nursing within ten days of the entry of the Board's Order, in that you failed to return all copies of the license until April 11, 2011.

Please see Attachment A for the name of the patients referred to above.

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 modify a previous order; or
- 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.

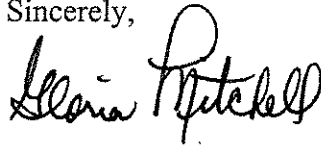
If you fail to appear at the informal conference, the Committee may proceed to hear the case in your absence and may take any of the actions outlined above. At least ten days prior to the scheduled date of the conference, please inform this office at (804) 367-4576, or in writing at the address listed 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 June 13, 2012. 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,

A handwritten signature in black ink, appearing to read "Gloria Mitchell". The signature is written in a cursive style with a large initial "G" and "M".

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
David W. Kazzie, Adjudication Specialist
Andria P. Christian, Investigator (Case No. 141033/141060)
Tonya James, Compliance Case Manager