



COMMONWEALTH of VIRGINIA

Department of Health Professions

Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367-4400
FAX (804) 527-4475

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

Board of Nursing (804) 367-4515
Nurse Aide Registry (804) 367-4569
FAX (804) 527-4455

NOTICE OF INFORMAL CONFERENCE

March 10, 2014

Karen Bonilla, C.N.A. Reinstatement Applicant
1205 Blue Jay Drive
Virginia Beach, VA 23453

CERTIFIED MAIL
7196 9008 9111 9190 6968

Re: Certificate No.: 1401-072970
Expiration Date: May 31, 2004

Dear Ms. Bonilla:

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 **April 7, 2014, at 9:00 a.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 certificate to practice as a nurse aide in the Commonwealth of Virginia, which expired on May 31, 2004, and will inquire into allegations that you may have violated certain laws and regulations governing nurse aide practice in Virginia.

Specifically,

1. You may have violated of § 54.1-3007(2), (5) and (6) of the Code and 18 VAC 90-25-100(2)(c) of the Regulations Governing Certified Nurse Aides in that you may be unable to safely practice as a nurse aide to substance abuse, as evidenced by your testing positive for cocaine on a for-cause employment related drug screen in November 2007 and your November 2007 diversion of Xanax (alprazolam – Schedule IV) from Beacon Shores Nursing and Rehabilitation Center, Virginia Beach, Virginia, for your personal and unauthorized use.

2. You may have violated § 54.1-3007(4) of the Code in that on or about July 9, 1997, you were convicted in the Circuit Court of the City of Virginia Beach of two counts of petit larceny, misdemeanors involving moral turpitude.

3. You may have violated § 54.1-3007(7) of the Code in that on or about March 10, 2008, you surrendered your multistate privilege to practice as a nurse in North Carolina for one year.

4. You may have violated § 54.1-3007(2) of the Code and 18 VAC 90-25-100(2)(d) of the Regulations Governing Certified Nurse Aides ("Regulations") in that on your November 5, 2007, applications for employment with Beacon Shores Nursing and Rehabilitation Center, Virginia Beach, Virginia, and Heritage Hall, Virginia Beach, Virginia, you failed to disclose that your employment with Magnolia Gardens Extended Care Facility, Spencer, North Carolina, had been terminated. Further, you failed to disclose on your Beacon Shores application that you had previously been convicted of a crime.

5. You may have violated § 54.1-3007(1) of the Code and 18 VAC 90-25-100(1)(b) of the Regulations in that on your initial application for certification as a nurse aide, dated February 26, 1998, you falsely stated you had never been convicted of a misdemeanor.

6. You may have violated § 54.1-3007(2) of the Code and 18 VAC 90-25-100(2)(f) of the Regulations in that on or about February 11, 2009, your license to practice practical nursing in Virginia was indefinitely suspended by the Board.

Pursuant to 18 VAC 90-25-81 of the Regulations Governing Certified Nurse Aides, the burden of providing evidence satisfactory to the Board that you are prepared to resume the competent nurse aide practice with reasonable skill and safety to patients rests with you.

Since the allegations listed above involve impairment, please be advised that you may make application to the Health Practitioners' Monitoring Program ("HPMP"), which is available to all health care practitioners licensed in Virginia. Information about the HPMP is enclosed. Should you enter into a written agreement with the HPMP prior to your informal conference, the Committee will take that into consideration when deciding your case.

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 certificate to practice as a nurse aide in the Commonwealth without restriction;
- The Committee may reinstate your certificate 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 certificate.

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, Henrico, Virginia 23233, by April 2, 2014. 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,



Brenda Krohn, R.N., M.S.
Deputy Executive Director

BK/lba

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Special Conference Committee Members
David W. Kazzie, Adjudication Specialist
Vicky Fox, Senior Investigator (Case No. 153845)
Peggy Wood, Monitoring Program Manager