



# COMMONWEALTH of VIRGINIA

## Department of Health Professions

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

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

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## NOTICE OF INFORMAL CONFERENCE

March 10, 2014

Amber Breeden, L.P.N. Reinstatement Applicant  
21466 East 360 Road  
Chelsea, OK 74016

**CERTIFIED MAIL**  
**7196 9008 9111 9190 6982**

Re: VA License No.: 0002-070526  
Suspension Date: April 30, 2009

Dear Ms. Breeden:

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 2:00 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 practical nursing in the Commonwealth of Virginia, which was indefinitely suspended by Order of the Board dated December 8, 2009, and will inquire into allegations that you may have violated certain laws and regulations governing practical 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 in that on your October 17, 2013, application for reinstatement of your license to practice practical nursing, you marked NO to the question asking whether you have a mental, physical or chemical dependency disorder which could interfere with your current ability to practice nursing. However, you currently receive disability benefits related to dystonia, you received inpatient treatment for opiate dependency in October 2012, and you have been treated for depression and post-traumatic stress disorder.

2. You may be in violation of § 54.1-3007(6) of the Code in that you may be unable to safely practice practical nursing due to substance abuse and/or mental or physical illness, as evidenced by your

diagnosis of dystonia, a history of substance abuse, and previous treatment for depression and post-traumatic stress disorder.

3. You may have violated § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-30-200(A)(2)(f) of the Regulations Governing the Practice of Nursing in that during the course of your employment with Harrisonburg Health and Rehabilitation Center, in February 2008, you failed to correctly perform skin assessments, you failed to complete documentation in a timely manner, and you failed to see a patient in a timely fashion.

The burden of providing evidence satisfactory to the Board that you are prepared to resume the competent practice of practical nursing 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 license to practice practical 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) 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. 153471)  
Peggy Wood, Monitoring Program Manager