



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

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

Board of Nursing (804) 367-4515
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NOTICE OF INFORMAL CONFERENCE

March 7, 2016

Marsha K. Felici, R.N.
a/k/a Marsha Michael
1133 Greendale Road
Waynesboro, VA 22980

CERTIFIED MAIL
9414 7266 9904 2062 8971 97

Re: VA License No.: 0001-169123
Expiration Date: December 31, 2017

Dear Ms. Felici:

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 4, 2016, at 10:30 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 inquire into allegations that you may be in violation of an Order of the Board entered April 9, 2014 (“Board’s Order”).

Specifically:

1. You may have violated Term No. 4 of the Board’s Order, which required you to have your employer provide quarterly performance evaluations, in that you failed to timely submit performance evaluations from your employment with Augusta Health and Rehabilitation, Fishersville, Virginia for the quarters ending in March 31, 2015; June 30, 2015; and September 30, 2015.

2. You may have violated Term No. 5 of the Board’s Order, which required you to only work in structured, supervised employment settings satisfactory to the Board, in that:

a. In or about May and June 2014, you worked for approximately two months at Summit Square Retirement Community, Waynesboro, Virginia without having your employment approved by the Board.

b. During the course of your employment with Augusta Health and Rehabilitation, in or about June 2015, you worked under the supervision of a new director of nursing without getting Board approval for this individual to serve as your on-site monitor.

3. You may have violated Term No. 7 of the Board's Order, which required you to have two supervised, unannounced random drug screens a month from a Board-approved testing entity, in that you failed to submit drug screen reports for the quarters ending in March 31, 2015 and June 30, 2015. Further, you failed to submit the results of a urine drug screen conducted on or about January 23, 2015.

4. You may have violated Term No. 8 of the Board's Order, which required you to attend Alcoholics Anonymous meetings two times a week and submit written evidence of attending to the Board within 30 days of each meeting, in that you failed to timely submit written evidence that you attended Alcoholics Anonymous meetings in January 2015. You did not submit said evidence until January 2016.

5. You may have violated Term No. 9 of the Board's Order, which required you to submit quarterly self-reported, in that you failed to timely submit self-reports due June 8, 2014 and for the quarters ending September 30, 2014; December 31, 2014; March 31, 2014; June 30, 2015; September 30, 2015; and December 31, 2015.

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 professional 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) 367-4515, 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 March 28, 2016. 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,


Gloria D. Mitchell-Lively, R.N., M.S.N., M.B.A.
Deputy Executive Director

GML/dt

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Special Conference Committee Members
Amy E. Weiss, Adjudication Specialist
Tonya D. James, Compliance Case Manager