



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, MSM, RN, CSAC, FRE
Executive Director

Board of Nursing (804) 367-4515
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NOTICE OF INFORMAL CONFERENCE BEFORE AN AGENCY SUBORDINATE

November 7, 2013

Elizabeth Carroll, R.N.
1905 Old Post Terrace
Woodbridge, Virginia 22191

CERTIFIED MAIL
7196 9008 9111 9192 4894

RE: VA License No.: 0001-210345
Expiration Date: December 31, 2014

Dear Ms. Carroll:

This letter is official notification that an informal conference of the Virginia Board of Nursing ("Board") will be held on **December 3, 2013, at 10:30 a.m.**, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia. In accordance with §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), this informal conference will be held before an agency subordinate of the Board of Nursing. This informal conference will be convened as a public meeting pursuant to § 2.2-3700 *et seq.* of the Code. The agency subordinate will inquire into allegations that you may have violated an Order of the Board entered September 27, 2010 ("Board's Order").

Specifically:

1. You may have violated Term No. 7 of the Board's Order, which required you to undergo a chemical dependency evaluation by a Board-approved specialist within 45 days of the entry of the Order, or November 11, 2010, and to thereafter comply with any recommendations of the specialist and provide quarterly progress reports if therapy was recommended, in that you failed to have the chemical dependency evaluation submitted to the Board until May 11, 2011 (after you were granted an extension to February 28, 2011), and, after therapy was recommended, you failed to submit quarterly therapy reports for the quarters ending September and December 2011, March, June, September, and December 2012, and March 2013.

2. You may have violated Term No. 8 of the Board's Order, which required you to cause written reports to be submitted to the Board from practitioners prescribing any Schedule II-V controlled substances to you, in that you were prescribed hydrocodone combination product (Schedule III) on July 8, 2011, but you failed to have a prescription report submitted to the Board.

3. You may have violated Term No. 9 of the Board's Order, which required you to undergo drug and alcohol testing two times per month and to have quarterly drug screen reports submitted beginning November 26, 2010, in that after being granted an extension to January 31, 2011, you failed to have any drug screen reports submitted other than in January 2011 and March 2011.

4. You may have violated Term No. 11 of the Board's Order, which required you to submit quarterly self-reports beginning November 26, 2010, in that you failed to submit such reports in November 2010, December 2011, March, June, September, and December 2012, and March 2013, and you submitted untimely reports in December 2010 and March, June, and September 2011.

The Board hereby offers to enter into the enclosed Consent Order with you in lieu of an informal conference in this matter. Please review this document, and should you consent to its terms, sign it in the presence of a notary public. In order for this Consent Order to become effective, you must return the entire document bearing your witnessed signature to the Board office on or before *November 28, 2013*. Upon its receipt in the Board office, the Consent Order will be entered upon approval by the full Board, and the informal conference will be cancelled. You will receive a certified copy of the Consent Order, bearing the date of entry, shortly thereafter. Should the Board not receive this signed Consent Order from you by 5:00 p.m. on November 28, 2013, the Board will proceed with the informal conference as scheduled.

After consideration of all information, the agency subordinate may:

- If the agency subordinate finds that there is insufficient evidence to warrant further action or that the charges are without foundation, notify you by mail that your record has been cleared of any charge which might affect your right to practice nursing in the Commonwealth;
- Recommend findings of fact, conclusions of law, and a sanction, to include a reprimand, continuing you on probation with terms, suspension or revocation of your license, or imposing a monetary penalty pursuant to § 54.1-2401 of the Code.

Further, the agency subordinate may refer this matter for a formal administrative proceeding pursuant to § 2.2-4020 of the Code.

Board's Review of Agency Subordinate's Recommended Decision

If you **appear in person or by counsel at the informal conference**, the recommendation of the agency subordinate will be presented to a quorum of the Board. The Board may accept or modify the recommendation, or reject the recommendation and move the case to formal hearing. If you do not agree with the decision of the Board, you have the right to a formal administrative hearing before the Board.

If you **fail to appear in person or by counsel at the informal conference**, the recommendation of the agency subordinate will be presented to a quorum of the Board. The Board may accept or modify the recommendation, or reject the recommendation. The Board's decision regarding the agency subordinate's recommendation is a final order that can only be appealed to circuit court as provided by Rule 2A:2 of the Supreme Court of Virginia.

You have the right to information that will be relied upon by the agency subordinate in making a decision. Therefore, I enclose a copy of the documents that will be distributed to the agency subordinate, and will be considered when discussing the allegations with you and when deliberating upon 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.**

To facilitate this proceeding, you should submit five copies of any documents you wish the agency subordinate to consider to the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, VA 23233, by November 28, 2013. Your documents may not be submitted by facsimile or email.

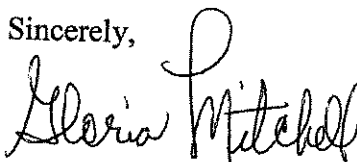
You may be represented by an attorney at the informal conference. If you obtain counsel, you should do so as soon as possible, because absent good cause to support a request for a continuance, the informal conference will be held on December 3, 2013. A request to continue this proceeding must state **in detail** the reason for the request and must establish good cause. Such request must be made, in writing, to me at the address listed on this letter and must be received by 12 noon on November 28, 2013. Only one such motion will be considered. Absent critical circumstances, such as personal or family illness, a request for a continuance after November 28, 2013, will not be considered.

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.

Please advise the Board, in writing, of your intention to be present. If you have any questions regarding this notice, please contact this office, at (804) 367-4617.

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 for 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,



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

GDM/sk

Enclosures

cc: Anne Joseph, Deputy Director, Administrative Proceedings Division
David Kazzie, Adjudication Specialist
Agency Subordinate
Tonya James, Compliance Case Manager (Case no. 144066)