



COMMONWEALTH of VIRGINIA

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Director

Department of Health Professions

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Virginia Board of Nursing
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NOTICE OF INFORMAL CONFERENCE BEFORE AN AGENCY SUBORDINATE

September 26, 2013

Kelli P. Shipman, L.P.N.
1374 Big Bethel Road
Hampton, VA 23666

CERTIFIED MAIL
7196 9008 9111 9192 2227

RE: VA License No.: 0002-074680
Expiration Date: August 31, 2013

Dear Ms. Shipman:

This letter is official notification that an informal conference of the Virginia Board of Nursing ("Board") will be held on **October 23, 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 be in violation of certain laws governing practical nursing practice and an Order of the Board entered May 24, 2012 ("Board's Order").

Specifically, you may be in violation of § 54.1-3007(6) of the Code and Term No. 1 of the Board's Order, which took no action against you on the condition that you enter the Health Practitioners' Monitoring Program ("HPMP") and remain compliant with all terms and conditions for the period specified by the HPMP, in that you were dismissed from the HPMP on October 19, 2012, for continuing to use alcohol, failing to comply with outpatient treatment, and failing to attend the HPMP orientation.

The Board hereby re-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 *October 16, 2013*. Upon its receipt in the Board office, the Consent Order will be entered 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 October 16, 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, placing 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, Richmond, VA 23233, by October 16, 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 October 23, 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 October 16, 2013. Only one such motion will be considered. Absent critical circumstances, such as personal or family illness, a request for a continuance after October 16, 2013, will not be considered.

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.

Sincerely,



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

GDM/sk

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
David W. Kazzie, Adjudication Specialist
Patricia Harte-Byers, Senior Investigator (Case No. 147398)
Agency Subordinate
Peggy Wood, Monitoring Program Manager