



# COMMONWEALTH of VIRGINIA

Robert A. Nebiker  
Director

*Department of Health Professions*  
6603 West Broad Street, 5th Floor  
Richmond, Virginia 23230-1712

www.dhp.virginia.gov  
TEL (804) 662-9900  
FAX (804) 662-9943  
TDD (804) 662-7197

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

May 13, 2005

Board of Nursing (804) 662-9909  
Nurse Aide Registry (804) 662-7310  
FAX (804) 662-9512

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**  
**(ARTICLE NO.71603901984887244065)**

Jessica D. (Bobbitt) Martin, C.N.A.  
5893 Snake Creek Road  
Hillsville, Virginia 24343

**RE: Certificate No. 1401-092379-Expires 5/31/06**

Dear Ms. Martin:

This is official notification that an Informal Conference will be held pursuant to § 2.2-4019 and § 2.2-4021 of the Code of Virginia (1950), as amended ("Code"), on **June 8, 2005, at 2:00 p.m.**, at the Department of Health Professions, 6603 W. Broad Street, Fifth Floor, Richmond, Virginia 23230. You may be represented by an attorney at the conference.

The Special Conference Committee, which is comprised of at least two members of the Virginia Board of Nursing, will inquire into allegations that you may have violated certain laws and regulations governing nurse aide practice in Virginia. Specifically, during the course of your employment at Trinity Mission Health and Rehabilitation, Hillsville, Virginia, you may have violated § 54.1-3007(2), (5) and (8) of the Code, and 18 VAC 90-25-100(2)(e) effective September 8, 2004 [formerly 18 VAC 90-20-360(2)(e)] of the Board of Nursing Regulations, in that, on June 1, 2004, by your own admission, you left the facility without informing any staff or supervisors. Your departure left critically ill patients unattended until proper coverage could be arranged. As a result, you were terminated from your employment.

After the conference, the conference committee is authorized to take the following actions:

1. 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 as a nurse aide in the Commonwealth;
2. The Committee may place you on probation with such terms as it may deem appropriate;
3. The Committee may reprimand you;
4. The Committee may impose a monetary penalty pursuant to § 54.1-2401 of the Code; or
5. The Committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing. If the Conference Committee is of the opinion that a suspension or revocation of your certificate may be justified, the Committee may offer you a consent order in lieu of a formal hearing.
6. If the committee finds that there is sufficient evidence to find you in violation of the above charge(s) and § 54.1-3007(8) of the Code, the committee shall make a finding of abuse, neglect or misappropriation of patient

property, which will be entered in the Virginia Nurse Aide Registry pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations. According to 42 CFR § 483.13(c)(1)(ii)(B) of the federal regulations, such a finding will prohibit your future employment as a certified nurse aide in any long term care facility, which receives Medicare or Medicaid reimbursement.

**If you fail to appear at the informal conference, the Conference Committee may proceed to hear the case in your absence, and may take any of the actions outlined above. Please inform this office at (804) 662-9075 about whether you intend to appear at the conference at least ten (10) days prior to the scheduled date specified above. Also, please inform the Board office of a telephone number where you may be reached.**

**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 May 31, 2005. 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 May 31, 2005, the Board will proceed with the informal conference as scheduled.**

**If you have any additional documents to be presented to the Conference Committee, please bring five (5) copies of each document with you.**

You have the right to information that will be relied upon by the Board in making a 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 the allegations with you and when deliberating upon your case. These documents are enclosed only with the original notice sent by certified mail, and must be claimed at the post office. Also, enclosed are copies of the relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws and regulations relating to the practice of nurse aides in Virginia that are cited in this notice.

Sincerely,



Jodi P. Power, R.N., J.D.  
Deputy Executive Director  
Nurse Aide Registry Manager

JPP/MDE/jjr/Martin18NICPHCO  
Enclosures

cc: Robert A. Nebiker, Director  
Elizabeth de Aristizabal, Senior Investigator (Case 97418)  
James L. Banning, Director for Adm. Proceedings  
Mykl D. Egan, Adjudication Specialist