



COMMONWEALTH of VIRGINIA

Department of Health Professions
Board of Nursing

July 3, 2002

Nancy K. Durrett, R.N., M.S.N.
Executive Director
nursebd@dhp.state.va.us

Paula LaVern Rice-Briggs, (LPN, Reinstatement)
1203 West High Street
Petersburg, Virginia 23803

6606 West Broad Street, Fourth Floor
Richmond, Virginia 23230-1717
(804) 662-9909
Nurse Aide Registry (804) 662-7310
FAX (804) 662-9512
TDD (804) 662-7197

CERTIFIED MAIL
71064575129435554311

RE: License No.: 0002-023113

Dear Ms. Rice-Briggs:

This is official notification that an Informal Conference will be held, pursuant to § 2.2-4019, § 2.2-4021, § 54.1-110, § 54.1-2400(10) and § 54.1-3010 of the Code of Virginia (1950), as amended, on August 1, 2002, at 1:00 p.m. in the offices of the Department of Health Professions, 6606 West Broad Street, Southern States Building, Fourth Floor, Richmond, Virginia. You may be represented by an attorney at the Informal Conference.

The Special Conference Committee, which is comprised of two or three members of the Virginia Board of Nursing, will receive and act upon your petition for the reinstatement of your license to practice practical nursing in the Commonwealth of Virginia, which was indefinitely suspended by Order entered September 23, 1992, and will inquire into allegations that you may have violated certain laws and regulations governing the practice of practical nursing in Virginia.

Specifically, you may have violated § 54.1-3007(6) of the Code of Virginia (1950), as amended, in that:

1. By Consent Order entered July 24, 1990, the Virginia Board of Nursing placed your license to practice as a practical nurse on probation with terms, due to your diversion of Percocet (oxycodone and acetaminophen, Schedule II) from your place of employment for your personal and unauthorized use to treat pain.
2. By Order entered September 23, 1992, the Virginia Board of Nursing placed your license on indefinite suspension due to your violation of the terms and conditions of your probation, to include your alteration without authorization of the refill instructions on a prescription for Lorcet Plus (hydrocodone bitartrate with acetaminophen, Schedule III).
3. Records indicate that between November 23, 1991, and August 8, 2000, you were treated on approximately forty-two (42) occasions by Mark Ende, M.D., through the Southside Regional Medical Center (SSRMC), Petersburg, Virginia, for painful crises resulting from a chronic illness. These treatments normally included the administration of pain medications such as Demerol (meperidine, Schedule II), MS Contin (morphine sulfate, Schedule II), and

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Percocet (oxycodone and acetaminophen, Schedule II) along with other medications intended to resolve these acute crises.

4. As noted in the 1992 Board Order, you received treatment for substance abuse at John Randolph Medical Center, Hopewell, Virginia, in 1992. For approximately two and a half (2 ½) years, between about 1994 and 1997, you participated in therapy with Margaret Jarvis, M.D., at the Medical College of Virginia Pain Management Center, Richmond, Virginia. Dr. Jarvis confirmed this in a letter dated May 5, 1997, and supported your return to nursing. Since then you have not participated in any therapy or counseling.
5. A letter from your primary care physician, Dr. Ende, indicates that as of September 14, 2001, your condition was stable. You report that Dr. Ende prescribes Vioxx (rofecoxib, Schedule VI) and daily 5mg doses of methadone (Schedule II) to you for pain. A letter from Wilhelm Zuelzer, M.D., of the Medical College of Virginia, Department of Orthopedic Surgery, confirmed that as of September 4, 2001, he was treating you, and had no objection to your return to nursing.

Pursuant to § 54.1-3009 of the Code, the burden of providing evidence satisfactory to the Board that you are prepared to resume the competent practice of nursing with reasonable skill and safety to patients rests with you.

Since the allegations listed above involve impairment, please be advised of the availability of making application to the Health Practitioners' Intervention Program ("Program") that is available to all health care practitioners licensed in Virginia. A brochure about the Program is enclosed. Should you enter into a written agreement with the Program before your Informal Conference, the Committee will consider that and could decide, among other options, to close your case with no disciplinary action.

Should you decide not to enter into a written agreement with the Program prior to your meeting with the Conference Committee, the Conference Committee is authorized, after meeting with you, to take one of the following actions:

1. The committee may reinstate your license to practice nursing in the Commonwealth without restriction;
2. The committee may deny the reinstatement of your license;
3. The committee may reinstate your license and place you on probation with such terms and conditions as it may deem appropriate;
4. The committee may modify a previous Order;
5. The committee may reinstate your license and reprimand you;
6. The committee may reinstate your license and impose a monetary penalty pursuant to § 54.1-2401 of the Code; or
7. The committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing.

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.

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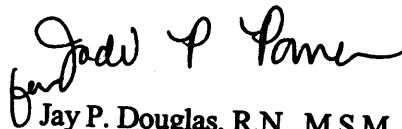
At least ten (10) days prior to the scheduled date of the conference, please inform this office of your telephone number and whether you intend to appear at the conference. This can be done by calling our offices at (804) 662-9950 or by sending us a letter at the address listed above.

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, which will be relied upon by the Board in making a decision. Therefore, I enclosed a copy of the documents, which 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. Please bring these documents with you.

Enclosed you will find copies of the relevant sections of the Administrative Process Act, which governs proceedings of this nature, as well as the laws and regulations relating to the practice of nursing in Virginia.

Sincerely,



Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Assistant Executive Director

JPD/alt/dl
Enclosures

cc: Robert A. Nebiker, Director, Department of Health Professions
James Banning, Director for Administrative Proceedings
Vicki Gwaltney Garrison, Pharmacy Inspector (Case No. 83720)
Katherine G. Wax, Probation Review Analyst
Donna P. Whitney, L.P.N., C.S.A.C., Intervention Program Committee Coordinator
Special Conference Committee Members
Ann L. Tiller, Senior Adjudication Analyst, Administrative Proceedings Division