



COMMONWEALTH of VIRGINIA

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Director

Department of Health Professions

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Executive Director

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NOTICE OF INFORMAL CONFERENCE

May 9, 2013

Angela M. Coogan, C.N.A., R.M.A.
130 Sequoia Circle
Christiansburg, Virginia 24073

CERTIFIED MAIL
7160 3901 9849 2201 4356

Re: VA Certificate No.: 1401-139796
Expiration Date: September 30, 2013

VA Registration No.: 0031-004827
Expiration Date: February 28, 2014

Dear Ms. Coogan:

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 June 11, 2013, 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 have violated certain laws and regulations governing nurse aide and medication aide practice in Virginia.

Specifically:

1. You may have violated § 54.1-3007(6) of the Code in that you may be unable to safely practice as a nurse aide and/or medication aide due to mental illness and substance abuse, as evidenced by the following statements made by your physician a letter dated November 30, 2012: you carry the diagnoses of depression and panic attacks, you were taking together the clonazepam (Schedule IV) and alprazolam (Schedule IV) that she had prescribed to you at different times, you tested positive for marijuana, and, in her professional opinion, you were not safe to practice.

2. During the course of your employment with English Meadows Assisted Living, Christiansburg, Virginia:

a. You may have violated § 54.1-3007(2), (5), and (8) of the Code, 18 VAC 90-60-120(2)(d), (l), (m), and (3) and 18 VAC 90-60-110(A)(2) of the Regulations Governing the Registration of Medication Aides, and 18 VAC 90-25-100(2)(d) of the Regulations Governing Certified Nurse Aides in that:

i. On or about September 8, 2012, you falsely documented administering Resident A's 8:00 p.m. medications, but the medications were found in a cup in the medication cart drawer.

ii. You documented administering hydrocodone combination products (Schedule III) to Resident B at 1600 hours on or about September 14, 2012, and to Resident C at "2600" hours on or about September 22, 2012, but the residents denied receiving these medications.

iii. On or about September 21 and 22, 2012, you failed to administer Resident D's antibiotic and falsely noted that the medication was not on the cart.

b. You may have violated § 54.1-3007(2), (5), and (8) of the Code, 18 VAC 90-60-120(2)(a), (l), (m), and (3) and 18 VAC 90-60-110(A)(2) of the Regulations Governing the Registration of Medication Aides, and 18 VAC 90-25-100(2)(a) of the Regulations Governing Certified Nurse Aides in that on or about September 21, 2012, you authorized the supplement Ensure to be substituted for Resident E's ordered Boost supplement.

Please see Attachment I for the name of the residents referred to above.

In its deliberations, the Committee may use the Sanction Reference Points System, as contained in the Sanction Reference Manual. The manual, which is a guidance document of the Board, may be accessed at <http://www.dhp.virginia.gov/nursing>. Please click on *Guidance Documents*, then select #90-7. You may also request a paper copy from the Board office by calling (804) 367-4515.

Since the allegations listed above involve impairment, please be advised that you may make application to the Health Practitioners' Monitoring Program ("HPMP"), which is available to all health care practitioners licensed in Virginia. Information about the HPMP is enclosed. Should you enter into a written agreement with the HPMP prior to your informal conference, the Committee will take that into consideration when deciding your case.

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 as a nurse aide and/or as a medication aide 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 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 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), such a finding will prohibit your future employment as a certified nurse aide in any long term care facility that receives Medicare or Medicaid reimbursement.

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 June 6, 2013. 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,



Brenda Krohn, R.N., M.S.
Deputy Executive Director

BK/lba

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Special Conference Committee Members
Lisa Oliphant, Senior Investigator (Case nos. 146899, 146900)
Peggy Wood, Monitoring Program Manager