



# COMMONWEALTH of VIRGINIA

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Director

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Executive Director

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## NOTICE OF INFORMAL CONFERENCE BEFORE AN AGENCY SUBORDINATE

September 7, 2007

Jason Moore, L.P.N.  
1207 Gail Court  
Newport News, Virginia 23605

**CERTIFIED MAIL**  
**71603901984990860558**

**RE: VA License No. 0002-048585**  
**Expiration Date: November 30, 2008**

Dear Mr. Moore:

This letter is official notification that an informal conference of the Virginia Board of Nursing will be held on **October 16, 2007, at 10:30 a.m.**, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Richmond, 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 certain terms and conditions of an Order of the Board.

Specifically, you may be in violation of the Board's Order of March 11, 2003, which required you to comply with your contract with the Health Practitioners' Intervention Program ("HPIP") for the period specified in the contract, in that you were dismissed from the HPIP on or about April 20, 2007, due to your failure to attend therapy sessions since November 2006; your failure to submit to a urine drug screen in February 2007; your failure to call the test line and subsequent missed screen in March 2007; and your failure to respond to telephone messages and correspondence from your HPIP case manager regarding your noncompliance.

After consideration of all information, the agency subordinate may:

1. Recommend to the Board that you be exonerated, that there be a finding of no violation, or that insufficient evidence exists to determine that a statutory/regulatory violation has occurred; or

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2. 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 have enclosed 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, and must be claimed at the post office.

To facilitate this proceeding, you should submit **four (4)** copies of any documents you wish for the agency subordinate to consider to the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, by **October 9, 2007**. Your documents may not be submitted by facsimile or e-mail.

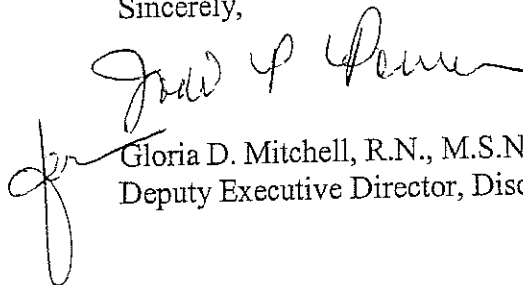
You may be represented by an attorney at the informal conference. If you obtain counsel, you should do so as soon as possible, because absent good cause to support a request for a continuance, the informal conference will be held on **October 16, 2007**. A request to continue this proceeding must state 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 **5:00 p.m. on October 9, 2007**. Only one such motion will be considered. Absent critical circumstances, such as personal or family illness, a request for a continuance after **October 9, 2007**, 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.

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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,



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

GDM/

Enclosures

cc: Sandra Whitley Ryals, Director, Department of Health Professions  
Anne Joseph, Deputy Director, Administrative Proceedings Division  
June Morrison, R.N., B.S.N., Senior Investigator (114245)  
Agency Subordinate  
Peggy Wood, Intervention Program Manager