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COMMONWEALTH of VIRGINIA

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NOTICE OF INFORMAL CONFERENCE

June 1, 2010

Holly Dawn Riner, R.N. Applicant
P.O. Box 92
Bacova, VA 24412

CERTIFIED MAIL
7160 3901 9845 1845 8083

Dear Ms. Riner:

This letter is official notification that an informal conference of the Virginia Board of Nursing ("Board") will be held, pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(7) of the Code of Virginia (1950), as amended ("Code"), on June 28, 2010, at 10:30 a.m., in the offices of the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233. You may be represented by an attorney at the informal conference. The informal conference committee, which is comprised of at least two members of the Board, will consider your application for licensure by endorsement as a professional nurse and will inquire into allegations that you may have violated certain laws and regulations governing the practice of nursing in Virginia. Specifically:

1. You may have violated § 54.1-3007(1) and (6) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing ("Regulations") in that on your Application for Licensure by Endorsement, you answered "NO" to the question "Do you have a mental, physical or chemical dependency condition which could interfere with your current ability to practice nursing" when, in 2005, you signed an Impaired Nurses Treatment Program contract with the West Virginia Board of Examiners for Registered Professional Nurses admitting to an addiction to Percocet (oxycodone/acetaminophen - Schedule II) and Lorcet (hydrocodone/acetaminophen - Schedule III) and in 2007, you were found to be noncompliant with that contract for failing to submit to random drug screens, monthly counselor reports, continuing education, and weekly 12-step meetings.

2. You may be in violation of § 54.1-3007(7) of the Code in that your license to practice professional nursing in West Virginia was suspended on October 3, 2007 for noncompliance with West Virginia's Impaired Nurse Treatment Program, and you are currently on probation in West Virginia.

The burden rests on you, as the applicant, to demonstrate that you meet the requirements of §§ 54.1-3017 and 54.1-3018(A).

After consideration of all information, the committee may:

1. Approve your application for licensure by endorsement; or

2. Recommend to the Board that your application be approved with a reprimand, a monetary penalty, or terms and conditions, which may include placing you on probation; or
3. Recommend to the Board that your application be denied; or
4. Refer the matter to a formal hearing of the Board.

The recommendation of the committee 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 a 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.

Please advise the Board of your intention to be present at the informal conference. This can be done by calling our offices at (804) 367-4515 or sending us a letter at the address listed above.

You have a right to the information that will be relied on by the committee in making a decision. Therefore, I enclose a copy of the documents that will be distributed to the committee 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 five copies of any documents you wish the committee to consider to the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, by June 23, 2010. Your documents may not be submitted by facsimile or e-mail.

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: Dianne L. Reynolds-Cane, M.D., Director, Department of Health Professions
Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Committee members
David W. Kazzie, Adjudication Specialist