



# COMMONWEALTH of VIRGINIA

Sandra Whitley Ryals  
Director

Department of Health Professions  
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Virginia Board of Nursing  
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## NOTICE OF INFORMAL CONFERENCE

December 21, 2006

Amy Reese (Cole), R.N. Reinstatement Applicant  
1236 West Main Street, Apt. 101  
Danville, Virginia 24541

**CERTIFIED MAIL**  
**71603901984942382008**

Dear Ms. Reese:

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 January 22, 2007 at 10:00 a.m.** at the Department of Health Professions, 6603 West Broad Street, Fifth Floor, Richmond, Virginia. 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 receive and act upon your application for the reinstatement of your license to practice professional nursing in the Commonwealth of Virginia, which expired on September 30, 2003, and inquire into allegations that you may have violated certain laws and regulations governing nursing practice in Virginia.

Specifically:

1. You may be in violation of § 54.1-3007(6) of the Code in that you signed a contract for the North Carolina Board of Nursing Alternative Program for Chemical Dependency ("Alternative Program") on February 27, 2006, in which you admitted to abusing Klonopin (Clonazepam, a Schedule IV controlled substance), Ativan (Lorazepam, also a Schedule IV controlled substance), and Lortab (hydrocodone + APAP, a Schedule III controlled substance). You admitted to abuse of these substances from 2000 to 2004, when you entered

treatment, and admitted to relapse in 2005. You also admitted to marijuana use starting in 1995. You were terminated from the Alternative Program on July 20, 2006 for a number of reasons, including failing to call regarding your drug screening obligations, failing to perform drug screens when told to do so, and failing to attend sessions at your treatment facility after June 15, 2006.

2. You may be in violation of § 54.1-3007(7) of the Code in that you were terminated from the Alternative Program on July 20, 2006, and as a result, your North Carolina nursing license was “voluntarily surrendered.” You are ineligible to petition for reinstatement of that license until you are able to provide documentary evidence of at least one year of sobriety.

3. You may have violated § 54.1-3007(1) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Board of Nursing Regulations in that you stated on your reinstatement application, dated August 4, 2006:

- a. That you had never had disciplinary action taken against your license, that your practice had never been the subject of an investigation, that you had never voluntarily surrendered your license, and that your license was in good standing in all jurisdictions where you had been licensed. However, you voluntarily surrendered your North Carolina nursing license on or about July 20, 2006, after you failed to abide by the terms of a contract with the Alternative Program.
- b. That you do not have a mental, physical, or chemical dependency condition which would interfere with your ability to practice nursing, when you have admitted to recent abuse of controlled substances.

The burden of providing evidence satisfactory to the Board that you are prepared to resume the competent practice of professional nursing with reasonable skill and safety to patients rests with you.

Since the allegations listed above involve impairment, please be advised that you may make application to the Health Practitioners’ Intervention Program (“HPIP”), which is available to all health care practitioners licensed in Virginia. A brochure about the HPIP is enclosed. Should you enter into a written agreement with the HPIP 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:

- The Committee may reinstate your license to practice professional nursing in the Commonwealth without restriction;
- The Committee may reinstate your license and place you on probation for such time as it may designate and subject to such terms and conditions as it may deem appropriate, reprimand you, or impose a monetary penalty;
- The Committee may deny your application for reinstatement of your license;

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 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) 662-9950, or in writing at the address listed above, of your telephone number and whether you intend to appear at the informal conference.

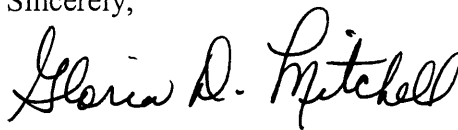
To facilitate this proceeding, you should submit five copies of any documents you wish the Committee to consider to the Board of Nursing, 6603 West Broad Street, Fifth Floor, Richmond, VA 23230-1717, by January 19, 2006. Your documents may not be submitted by facsimile or email.

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.**

Also enclosed are copies of the relevant sections of the Administrative Process Act, which governs proceedings of this nature, as well as the relevant laws and regulations governing the practice of nursing in Virginia.

In the event of inclement weather, please be advised that Board of Nursing hearings will be held unless state offices are closed. Please listen to television or radio announcements to provide information about official state closings or delays. If there is a delayed opening, hearings will begin at the time of the agency opening. A recorded announcement pertaining to closings or delays will also be available by calling the main telephone number for the Department of Health Professions at (804) 662-9900.

Sincerely,



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

Enclosures

cc: Sandra Whitley Ryals, Director, Department of Health Professions  
Anne G. Joseph, Deputy Director, Administrative Proceedings Division  
Special Conference Committee Members  
Emily Field, Adjudication Specialist