



COMMONWEALTH of VIRGINIA

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Director

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Virginia Board of Nursing
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Executive Director

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NOTICE OF INFORMAL CONFERENCE BEFORE AN AGENCY SUBORDINATE

March 22, 2013

Debra A. Abel, L.P.N.
2221 Cowan Blvd. Apt. 53A
Fredericksburg, VA 22401

CERTIFIED MAIL
71603901984922041932

RE: **VA License No.: 0002-024951**
Expiration Date: February 28, 2013

Dear Ms. Abel:

This letter is official notification that an informal conference of the Virginia Board of Nursing ("Board") will be held on **April 18, 2013, at 9:00 a.m.**, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, 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 laws and regulations governing nursing practice in Virginia and that you may be in violation of an Order of the Board entered July 21, 2008 ("Board's Order").

Specifically:

1. You may have violated § 54.1-3007(6) of the Code and Term No. 2 of the Board's Order, which required you to comply with the terms and conditions of the Health Practitioners' Monitoring Program ("HPMP"), in that you were dismissed from the HPMP on July 20, 2012, due to a continued pattern of

noncompliance, including failure to submit required reports and medical documentation for prescribed narcotics.

2. You may be in violation of § 54.1-3007(6) of the Code in that you may be unable to safely practice practical nursing due to mental illness and multiple chronic medical conditions, including bipolar disorder, anxiety and tardive dyskinesia.

After consideration of all information, the agency subordinate may:

- If the agency subordinate finds that there is insufficient evidence to warrant further action or that the charges are without foundation, notify you by mail that your record has been cleared of any charge which might affect your right to practice practical nursing in the Commonwealth;
- 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 enclose 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, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

To facilitate this proceeding, you should submit five copies of any documents you wish the agency subordinate to consider to the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, VA 23233, by April 12, 2013. Your documents may not be submitted by facsimile or email.

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 **April 18, 2013**. 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 12 noon on April 12, 2013. Only one such motion will be considered. Absent critical circumstances, such as personal or family illness, a request for a continuance after April 12, 2013 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.

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) 367-4515.

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) 367-4400.

Sincerely,



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

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Peter Opper, Adjudication Specialist
Helene Kelly, Senior Investigator (Case no. 145851)
Agency Subordinate
Peggy Wood, Monitoring Program Manager