



COMMONWEALTH of VIRGINIA

Robert A. Nebiker
Director

Department of Health Professions

6603 West Broad Street, 5th Floor
Richmond, Virginia 23230-1712

www.dhp.state.va.us/
TEL (804) 662-9900
FAX (804) 662-9943
TDD (804) 662-7197

Virginia Board of Nursing
Jay P. Douglas, RN, MSM, CSAC
Executive Director

August 22, 2003

Board of Nursing (804) 662-9909
Nurse Aide Registry (804) 662-7310
FAX (804) 662-9512

Mr. Erick P. Hutto
304 Petunia Path
Chesapeake, Virginia 23325

CERTIFIED MAIL
7160 3901 9844 2315 5572

Dear Mr. Hutto:

This is official notification that an Informal Conference will be held, pursuant to § 54.1-2400(10), § 54.1-3010, § 2.2-4019 and § 2.2-4021 of the Code of Virginia (1950), as amended ("the Code"), on September 22, 2003, at 10:00 a.m., in the offices of the Department of Health Professions, 6603 West Broad Street, Fifth Floor, Richmond, Virginia. You may be represented by an attorney at the informal conference.

The Special Conference Committee, which is comprised of two or three members of the Virginia Board of Nursing, will receive and act upon your application for licensure by endorsement as a professional nurse in the Commonwealth of Virginia, and will inquire into allegations that you may have violated certain laws and regulations governing the practice of professional nursing in Virginia. The burden rests upon you, as the applicant, to demonstrate that you meet the requirements of § 54.1-3017 and § 54.1-3018 of the Code of Virginia (1950), as amended, and 18 VAC 90-20-200.

Specifically, you may be in violation of § 54.1-3007(7) of the Code of Virginia (1950), as amended, in that:

On or about February 21, 2003, you entered into an Order with the Nevada State Board of Nursing, Las Vegas, Nevada, voluntarily surrendering your license to practice as a professional nurse, in lieu of a formal administrative proceeding.

After meeting with the Conference Committee, the Conference Committee is authorized, after meeting with you, to take one of the following actions:

1. The committee may approve your Application for Licensure by Endorsement;
2. The committee may determine that it is unable to approve your Application for Licensure by Endorsement;
3. The committee may approve your Application for Licensure by Endorsement and, grant you licensure as a Professional Nurse and place you on probation with such terms as it may deem appropriate;

Virginia Board of Nursing 1903 – 2003
Regulating Nursing – Protecting The Public

Board of Audiology & Speech - Language Pathology - Board of Dentistry - Board of Funeral Directors & Embalmers - Board of Medicine - Board of Nursing
Board of Nursing Home Administrators - Board of Optometry - Board of Pharmacy - Board of Counseling
Board of Physical Therapy - Board of Psychology - Board of Social Work - Board of Veterinary Medicine
Board of Health Professions

Mr. Erick P. Hutto

Page 2

4. The committee may approve your Application for Licensure by Endorsement and may grant you licensure as a Professional Nurse and reprimand you;
5. The committee may approve your Application for Licensure by Endorsement and may grant you licensure as a professional nurse and may impose a monetary penalty pursuant to § 54.1-2401 of the Code; or
6. The committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing.

If you fail to appear at the informal conference, the Conference Committee may proceed to hear the case in your absence, and may take any of the actions outlined above.

At least ten (10) days prior to the scheduled date of the conference, please inform this office of your telephone number and whether you intend to appear at the conference. This can be done by calling our offices at (804) 662-9950 or by sending us a letter at the address listed above.

If you have any additional documents to be presented to the Conference Committee, please bring five (5) copies of each document with you.

You have the right to information which will be relied upon by the Board in making a decision. Therefore, I enclosed a copy of the documents which will be distributed to the members of the Committee and will be considered by the Committee 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. Please bring these documents with you.

Enclosed you will find copies of the relevant sections of the Administrative Process Act, which governs proceedings of this nature, as well as the laws and regulations relating to the practice of nursing in Virginia.

Sincerely,



Susan Bell Rosen, R.N., F.N.P., J.D.
Deputy Executive Director, Discipline

SBR/gem/klb

Enclosures

cc: Robert A. Nebiker, Director, Department of Health Professions
James Banning, Director for Administrative Proceedings
Special Conference Committee Members
Gayle E. Miller, Senior Adjudication Analyst