



COMMONWEALTH of VIRGINIA

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Director

Department of Health Professions
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Executive Director

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NOTICE OF INFORMAL CONFERENCE

September 9, 2015

Michelle Gayden, L.P.N. Reinstatement Applicant
517 Walnut Street
York, PA 17403

CERTIFIED MAIL
9414 7266 9904 2028 4545 32

Re: VA License No.: 0002-070269
Expiration Date: June 30, 2007

Dear Ms. Gayden:

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 **October 6, 2015, at 2:00 p.m.** at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233. 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 practical nursing in the Commonwealth of Virginia, which expired on June 30, 2007, and will inquire into evidence that grounds may exist to deny your application.

Specifically:

1. You may have violated § 54.1-3007(7) of the Code in that your Maryland licenses to practice as a practical nurse, a certified nurse aide, and as a geriatric nursing assistant were permanently revoked by the Maryland Board of Nursing in September 2014.
2. You may have violated § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing in that, as found by the Maryland Board of Nursing in its Order dated September 3, 2014, during the course of your employment as operator of an assisted living facility in Baltimore, Maryland, you committed numerous documentation and medication errors, you failed to maintain a delegating nurse for the facility, you failed to provide for the requisite 45-day delegating nurse assessments for the residents housed at the facility, and you maintained an unkempt and unsanitary facility.
3. You may have violated § 54.1-3007(1) of the Code and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing in that on your January 7, 2015, application for reinstatement of your license to practice practical nursing, you answered NO to the questions pertaining to the investigation and discipline of any licenses,

even though your Maryland licenses to practice as a practical nurse, a certified nurse aide, and as a geriatric nursing assistant were permanently revoked by the Maryland Board of Nursing in September 2014.

The burden rests on you to demonstrate that you are prepared to resume the safe and competent practice of practical nursing.

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 practical 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.

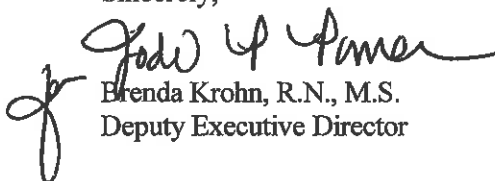
If you fail to appear at the informal conference, the Committee may proceed to hear the case in your absence and may take any of the actions outlined above. At least ten days prior to the scheduled date of the conference, please inform this office at (804) 367-4515, or in writing at the address listed 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 Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, by October 1, 2015. 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.**

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: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Special Conference Committee Members
David W. Kazzie, Adjudication Specialist
Patricia Sheehan, Senior Investigator (Case No. 162638)