

VIRGINIA:

BEFORE THE COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE

IN RE: LEE S. PHILLIPS, R.N., L.N.P.
License No.: 0024-167440
Prescriptive Authority No.: 0017-138884

AMENDED NOTICE OF HEARING

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), Lee S. Phillips, R.N., L.N.P., who holds License No. 0001-072656 to practice professional nursing, License No. 0024-167440 to practice as a nurse practitioner with a specialty of psychiatric and mental health and Prescriptive Authority No. 0017-138884, which expire on May 31, 2014, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Committee of the Joint Boards of Nursing and Medicine. The hearing will be held on April 9, 2014, at 9:00 a.m., at the offices of the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Ms. Phillips will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Phillips has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. Phillips desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to inquire into evidence that Lee S. Phillips, R.N., L.N.P., may have violated certain laws and regulations governing the practice of licensed nurse practitioners in Virginia, as more fully set forth in the Statement of Particulars below.

STATEMENT OF PARTICULARS

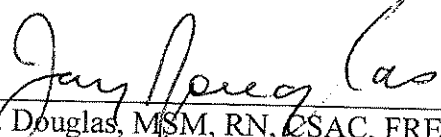
The Committee of the Joint Boards of Nursing and Medicine alleges that:

1. Lee S. Phillips, R.N., L.N.P., may have violated §§ 54.1-3007(5) and 54.1-3303(A) of the Code, 18 VAC 90-30-220(3) and (4) of the Regulations Governing the Licensure of Nurse Practitioners, and 18 VAC 90-40-121(A) and (C) and 90-40-130(A)(1) of the Regulations for Prescriptive Authority for Nurse Practitioners in that from on or about April, 2011, to on or about January 25, 2013, Ms. Phillips wrote prescriptions for herself for Losartan, HCTZ, and Metoprolol without a bona fide practitioner-patient relationship.
2. Ms. Phillips may have violated §§ 54.1-3007(5) and (8) and 54.1-3303(A) of the Code, 18 VAC 90-30-220(3) and (4) of the Regulations Governing the Licensure of Nurse Practitioners, and 18 VAC 90-40-121(A) and (C) and 90-40-130(A)(1) of the Regulations for Prescriptive Authority for Nurse Practitioners in that, on or about August 18, 2011, Ms. Phillips wrote prescriptions for Losartan and HCTZ, each with eleven refills, for a family member, without a bona fide practitioner-patient relationship.
3. Ms. Phillips may have violated §§ 54.1-3007(2) and (5) and 54.1-3303(A) of the Code, 18 VAC 90-20-300(A)(2)(e) of the Regulations Governing the Practice of Nursing, 18 VAC 90-30-220(3) and (4) of the Regulations Governing the Licensure of Nurse Practitioners, and 18 VAC 90-40-121(A) and (C), 90-40-90(A) and (B), and 90-40-130(A)(1) of the Regulations for Prescriptive Authority for Nurse Practitioners in that, on or about December 2, 2012, Ms. Phillips submitted a prescription refill request to Rite Aide Pharmacy #4381 for herself as the patient and indicated that she was practicing at Fairfield

Psychological Associates, P.C., Virginia Beach, Virginia, when, in fact, her contract with Fairfield had been terminated on August 20, 2012.

4. Ms. Phillips may have violated §§ 54.1-3007(2) and (5) and 54.1-3303(A) of the Code, 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing, 18 VAC 90-30-220(3), (4), and (6) of the Regulations Governing the Licensure of Nurse Practitioners, and 18 VAC 90-40-130(A)(1) of the Regulations for Prescriptive Authority for Nurse Practitioners in that, on or about February 9, 2012, and November 29, 2011, Ms. Phillips phoned in fraudulent prescriptions for herself for Tussionex suspension (hydrocodone, Schedule III), using the name of her gynecologist as the prescriber.

FOR THE COMMITTEE OF THE
JOINT BOARDS OF NURSING AND MEDICINE



Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director for the
Board of Nursing

ENTERED: March 6th, 2014