



COMMONWEALTH of VIRGINIA

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Director

Department of Health Professions

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NOTICE OF INFORMAL CONFERENCE BEFORE AN AGENCY SUBORDINATE

December 11, 2013

Paulette E. Fitzgerald, L.N.P.
6183 Sage Drive
Alexandria, VA 22310

CERTIFIED MAIL
7196 9008 9111 9191 0491

RE: VA License No.: 0024-164756
Expiration Date: February 28, 2015

Dear Ms. Fitzgerald:

This letter is official notification that an informal conference of the Virginia Committee of the Joint Boards of Nursing and Medicine ("Committee of the Joint Boards") will be held on **January 9, 2014, at 10:30 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"), and 18 VAC 90-30-240 of the Regulations Governing the Licensure of Nurse Practitioners, this informal conference will be held before an agency subordinate of the Committee of the Joint Boards. 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 regulations governing the practice of nurse practitioners in Virginia.

Specifically, you may be in violation of 18 VAC 90-30-220(7) and 90-30-105(B) of the Regulations Governing the Licensure of Nurse Practitioners in that, on or about February 5, 2013, when you renewed your nurse practitioner license online, you attested that you did not hold a current professional certification and that you had not completed at least 40 hours of continuing education in the area of specialty practice approved by one of the certifying agencies designated in the Regulations Governing the Licensure of Nurse Practitioners ("Regulations").

In its deliberations, the agency subordinate may use the Sanction Reference Points System, as contained in the Sanction Reference Manual. The manual, which is a guidance document of the Board, may be accessed at <http://www.dhp.virginia.gov/nursing>. Please click on *Guidance Documents*, then select #90-7. You may also request a paper copy from the Board office by calling (804) 367-4515.

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 as a nurse practitioner 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.

Committee'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 Committee of the Joint Boards. The Committee of the Joint Boards 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 Committee of the Joint Boards, you have the right to a formal administrative hearing before the Committee of the Joint Boards.

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 Committee of the Joint Boards. The Committee of the Joint Boards may accept or modify the recommendation, or reject the recommendation. The Committee of the Joint Boards' 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, Henrico, VA 23233, by December 26, 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 January 9, 2014. 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 December 26, 2013. Only one such motion will be considered. Absent critical circumstances, such as personal or family illness, a request for a continuance after December 26, 2013 will not be considered.

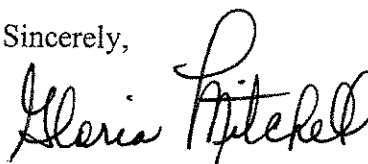
Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of nursing and other healing arts in Virginia cited in this notice can be found on the

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 of Nursing, in writing, of your intention to be present. If you have any questions regarding this notice, please contact this office at (804) 367-4617.

In the event of inclement weather, please be advised that hearings for the Committee of the Joint Boards will be held unless state offices are closed. Please listen to television or radio announcements for 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,

A handwritten signature in black ink, appearing to read "Gloria Mitchell", with a stylized flourish at the end.

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

GDM/sk

Enclosures

cc: Anne Joseph, Deputy Director, Administrative Proceedings Division
Tammie D. Jones, Adjudication Specialist (151281)
Agency Subordinate