

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: KELLIE BELL, R.N.

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on April 24, 2008, in Henrico County, Virginia. Ms. Bell was not present nor was she represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On July 15, 2008, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Bell was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Kellie Bell was issued License No. 0001-187028 to practice professional nursing in Virginia on August 21, 2003. The license is set to expire on July 31, 2008.
2. By letter dated January 17, 2008, the Board of Nursing ("Board") sent a Notice of Informal Conference ("Notice") to Ms. Bell notifying her that an informal conference would be held on February 11, 2008. The Notice was sent by certified and first class mail to 37 Summer Ridge Drive, Stuart's Draft, Virginia 24477, the address of record on file with the Board of Nursing.
3. Ms. Bell requested and received a continuance. By letter dated March 27, 2008, the Board sent Ms. Bell a letter notifying her that her informal conference had been continued to April 24, 2008. The letter was sent by certified and first class mail to 37 Summer Ridge Drive, Stuart's Draft, Virginia 24477,

the address of record on file with the Board of Nursing. The certified mail receipt was signed and returned to the Board. Further, Ms. Bell sent a letter to the Board, which was received on April 22, 2008, in which Ms. Bell stated that she would not be attending the informal conference. The Agency Subordinate concluded that Ms. Bell received adequate notice and the informal conference proceeded in her absence.

4. During the course of her employment with Pediatric Associates of Charlottesville, Charlottesville, Virginia (“PAC”), by her own admission, Ms. Bell self-injected cocaine in the bathroom while at work on October 3, 2007, and November 2, 2007, using syringes and needles that she had taken from PAC supplies. On both occasions Ms. Bell was in the bathroom for extended periods of time, and left work immediately afterward. As Ms. Bell left work on or about November 2, 2007, she was talking in a fast gibberish.

5. During the course of her employment with UVA HealthSouth, Charlottesville, Virginia (“HealthSouth”):

a. On May 26, 2006, Ms. Bell was not on her hall at the time that medications needed to be passed, and she was located in her car in the parking lot with a blood-stained ace bandage at her side and blood on her hands.

b. On April 14, 2006, Ms. Bell spent 2 ½ hours in the bathroom.

6. In the period September 10, 2007, through September 21, 2007, during the course of her employment with Interim Health Care, Staunton, Virginia (“Interim”), Ms. Bell failed to properly suction a client, and Ms. Bell failed to wash her hands before or after suctioning the client. Ms. Bell also failed to clean the client’s peg tube site, or change her diaper as frequently as needed. By her own admission, Ms. Bell documented that she had provided care to the client that she did not, in fact, provide.

7. On her applications for employment at Interim, dated February 2, 2007, and at PAC,

dated June 16, 2007, Ms. Bell stated that her reason for leaving HealthSouth was “complications from pregnancy” when, in fact, her employment was terminated.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(2), (5), and (6) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Board of Nursing Regulations.
2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(6) of the Code.
3. Finding of Fact No. 6 constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(e) and (f) of the Board of Nursing Regulations.
4. Finding of Fact No. 7 constitutes a violation of § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Board of Nursing Regulations.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

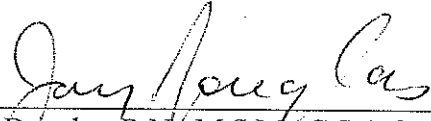
1. License No. 0001-187028 of Kellie Bell is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Bell shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Bell shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.
4. This suspension applies to any multistate privilege to practice professional nursing.

Since Ms. Bell failed to appear at the informal conference, this Order shall be considered final. Ms. Bell has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Bell has thirty (30) days from the date of service (the

date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

Pursuant to § 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD

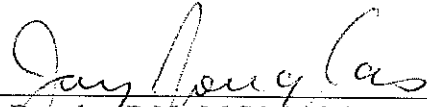


Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director
Board of Nursing

Entered: August 14th, 2008

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed this day to Kellie Bell at 37 Summer Ridge Drive, Stuart's Draft, Virginia 24477.



Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director
Board of Nursing

August 14th, 2008
DATE

Certified True Copy

By Graham

Virginia Board of Nursing