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By: [Signature]
Virginia Board of Nursing



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NOV 17 2017

VA BD OF NURSING

COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions

Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367-4400
FAX (804) 527-4475

November 17, 2017

Kari Jo Fleming, R.N.
9007 Brook Ford Rd.
Burke, VA 22015

DUPLICATE COPY
VIA FIRST CLASS MAIL

DATE 11/17/17

RE: License Number: 0001-230047
Case Number: 183598

Dear Ms. Fleming:

Pursuant to Virginia Code § 54.1-2409, you are hereby given notice that your license to practice professional nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered November 17, 2017. You are hereby advised that you may not practice professional nursing or hold yourself out as a licensed professional nurse unless and until the Board of Nursing has notified you in writing that your license has been reinstated. Please return your license to Jay Douglas, Executive Director of the Virginia Board of Nursing ("Board"), at the above address, immediately upon receipt of this letter.

You may apply to the Board for reinstatement of your license, and you shall be entitled to a formal administrative hearing not later than the next regular meeting of the Board after the expiration of 60 days from the Board's receipt of your reinstatement application. The reinstatement of your license shall require the affirmative vote of three-fourths of the members of the Board present at the hearing. The reinstatement application can be found at www.dhp.virginia.gov/Nursing.

If you have any questions about this matter, you can contact me at (804) 367-4474 or anne.joseph@dhp.virginia.gov.

Sincerely,

[Signature]

Anne Joseph, Deputy Director
Administrative Proceedings Division

cc: Jay Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Virginia Board of Nursing
Enclosures

BEFORE THE VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS

IN RE: KARI JO FLEMING, R.N.
License Number: 0001-230047
Case Number: 183598

ORDER OF MANDATORY SUSPENSION


In accordance with Virginia Code § 54.1-2409, I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that the Arizona State Board of Nursing accepted the voluntary surrender by Kari Jo Fleming, R.N., of her license to practice as a registered nurse in the State of Arizona in lieu of further disciplinary action. A certified copy of the Consent Order for Entry of Voluntary Surrender is attached hereto as Commonwealth's Exhibit 1.

WHEREUPON, by the authority vested in the Director of the Department of Health Professions pursuant to Virginia Code § 54.1-2409, it is hereby ORDERED that the license of Kari Jo Fleming, R.N., to practice professional nursing in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the license of Kari Jo Fleming, R.N., will be recorded as suspended and no longer current and valid. Should Ms. Fleming seek reinstatement of her license pursuant to Virginia Code § 54.1-2409, she shall be responsible for any fees that may be required for the reinstatement of the license prior to issuance of the license to resume practice.

This Order shall be applicable to Ms. Fleming's multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia.

Pursuant to Virginia Code § 2.2-4023 and § 54.1-2400.2, 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 or copying on request.



David E. Brown, D.C., Director
Virginia Department of Health Professions

ENTERED:

11/17/17

CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Consent Order for entry of Voluntary Surrender entered October 10, 2017, regarding Kari Jo Fleming, R.N., is a true copy of the records received from the Arizona State Board of Nursing.



David E. Brown, D.C.

11/17/17

Date

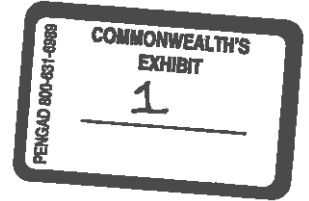
Doug Ducey
Governor



Joey Ridenour
Executive Director

Arizona State Board of Nursing

4747 North 7th Street, Suite 200
Phoenix AZ 85014-3655
Phone (602) 771-7800 Fax (602) 771-7888
E-Mail: arizona@azbn.gov
Home Page: <http://www.azbn.gov>



AFFIDAVIT OF CUSTODIAN OF RECORDS

STATE OF ARIZONA

COUNTY OF MARICOPA

I, Joey Ridenour, Executive Director for the Arizona State Board of Nursing, County of Maricopa, State of Arizona, do hereby certify that I am the officer having the legal custody for the records hereto attached in the office of the Arizona State Board of Nursing, County of Maricopa, State of Arizona, a public office of said State. The attached copies are true copies of the records on **KARI JO FLEMING**. Personnel of the Arizona State Board of Nursing prepared the records during the ordinary course of business.

Witness my hand and the seal of the Arizona State Board of Nursing at 4747 N. 7th Street, Suite 200, Phoenix, Arizona 85014-3655 on November 14, 2017.

SEAL

Joey Ridenour R.N. M.N. F.A.A.N.

Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director

ARIZONA STATE BOARD OF NURSING
4747 North 7th Street, Suite 200
Phoenix, Arizona 85014-3655
602-771-7800

IN THE MATTER OF THE REGISTERED
 NURSE LICENSE NO. RN175655
 ISSUED TO:

KARI JO FLEMING,
AKA KARI JO KUDLAS, KARI JO MAYER,
RESPONDENT

CONSENT FOR ENTRY OF
VOLUNTARY SURRENDER
ORDER NO. 1304106

A complaint charging Kari Jo Fleming ("Respondent") with violation of the Nurse Practice Act has been received by the Arizona State Board of Nursing ("Board"). In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements, and the responsibilities of the Board, and pursuant to A.R.S. § 32-1605.01(D), Respondent voluntarily surrenders her license for a minimum of three years.

Based on the evidence before it, the Board makes the following Findings of Fact, Conclusions of Law:

FINDINGS OF FACT

1. **KARI JO FLEMING ("Respondent") holds Board issued registered nurse license no. RN175655.**
2. **On or around August 2012 – April 2013, Respondent had overlapping refills of Adderall, a controlled central nervous system stimulant, from multiple providers. Respondent was prescribed a medication that has a high incidence of abuse and has potential to impact cognitive abilities and safeness to practice.**
3. **On January 13, 2017, Respondent admitted to Board staff that she obtained Adderall, a controlled central nervous system stimulant, from multiple providers in her name to give to two family members. Respondent practiced outside of her RN scope of practice by providing Adderall, a medication that has a high incidence of abuse, to these individuals.**
4. **On January 27, 2017, the Board voted to issue an Interim Order for a substance abuse to be completed by a Board approved licensed psychologist, and to include any additional testing deemed**

1 necessary by the evaluator, to be completed with 45 days and then return to the Board. If the Interim
2 Order is not completed, based upon the information in the investigative report, issue Notice of Charges
3 and include the factual allegations and alleged violations for failure to comply with the Interim Order.
4 As of June 19, 2017, Respondent has not undergone an evaluation with a Board approved licensed
5 psychologist and as required in the Interim Order issued by the Board.

6 5. On or about 10/10/17, 2017, Respondent requested to voluntary
7 surrender her license.
8

9 CONCLUSIONS OF LAW

10 Pursuant to A.R.S. §§ 32-1606, 32-1663, and 32-1664, the Board has subject matter and
11 personal jurisdiction in this matter.
12

13 The conduct and circumstances described in the Findings of Fact constitute violations of
14 A.R.S. § 32-1663 (D) as defined in and currently cited as § 32-1601 (24) "Unprofessional conduct"
15 includes the following whether occurring in this state or elsewhere: (d) Any conduct or practice that is
16 or might be harmful or dangerous to the health of a patient or the public; (i) Failing to comply with a
17 stipulated agreement, consent agreement or board order; and (j) Violating a rule that is adopted by the board
18 pursuant to this chapter (effective July 1, 2016); specifically Arizona Administrative Code Rule(s) 4-
19 19-403 (1) A pattern of failure to maintain minimum standards of acceptable and prevailing nursing
20 practice; (12) Assuming patient care responsibilities that the nurse lacks the education to perform, for
21 which the nurse has failed to maintain nursing competence, or that are outside the scope of practice of
22 the nurse (17) A pattern of using or being under the influence of alcohol, drugs, or a similar substance
23 to the extent that judgment may be impaired and nursing practice detrimentally affected, or while on
24 duty in any health care facility, school, institution, or other work location (adopted effective January 31,
25 2009). The conduct and circumstances described in the Findings of Fact constitute sufficient cause
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1 pursuant to A.R.S. §§ 32-1605.01(D) and 32-1664(O) to take disciplinary action against Respondent's
2 license to practice as a registered nurse in the State of Arizona.
3

4 Respondent admits the Board's Findings of Fact, Conclusions of Law.

5 In lieu of a hearing on these issues, Respondent agrees to issuance of the attached Order and
6 waives all rights to a hearing, rehearing, appeal or judicial review relating to this matter. Respondent
7 further waives any and all claims or causes of action, whether known or unknown, that Respondent may
8 have against the State of Arizona, the Board, its members, offices, employees and/or agents arising out
9 of this matter.
10

11 Respondent understands that the admissions in the Findings of Fact are conclusive evidence of
12 a violation of the Nurse Practice Act and may be used for purposes of determining sanctions in any
13 future disciplinary matter.
14

15 Respondent understands the right to consult legal counsel prior to entering into the Consent
16 Agreement and such consultation has either been obtained or is waived.
17

18 Respondent understands that this voluntary surrender is effective upon its acceptance by the
19 Executive Director or the Board and by Respondent as evidenced by the respective signatures thereto.
20 Respondent's signature obtained via facsimile shall have the same effect as an original signature.
21 Once signed by Respondent, the agreement cannot be withdrawn without the Executive Director or
22 the Board's approval or by stipulation between Respondent and the Executive Director or the Board.
23 The effective date of this Order is the date the Voluntary Surrender is signed by Respondent and
24 accepted by the Executive Director or the Board.
25

26 Respondent understands that Voluntary Surrender constitutes disciplinary action. Respondent
27 also understands that she may not reapply for re-issuance during the period of Voluntary Surrender.
28 Respondent is not eligible to renew any other expired license or certificate previously held by
29

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Respondent without prior review and approval by the Board

Respondent agrees that she may apply for re-issuance after the period of voluntary surrender under the following conditions, and must comply with current law at the time of their application for re-issuance:

The application for re-issuance must be in writing and shall contain therein or have attached thereto substantial evidence that the basis for the voluntary surrender has been removed and that the re-issuance of the license does not constitute a threat to the public's health, safety and welfare. The Board may require physical, psychological, or psychiatric evaluations, reports and affidavits regarding Respondent as it deems necessary. These conditions shall be met before the application for re-issuance is considered.

Kari Jo Fleming
Kari Jo Fleming, Respondent

Date: 10-10-17

SEAL

Joey Ridenour
Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director
ARIZONA STATE BOARD OF NURSING

Acceptance Date: 10/10/2017

V. SMITH/RN175655.FLEMING

ORDER

Pursuant to A.R.S. § 32-1605.01(D) the Board hereby accepts the Voluntary Surrender of registered nurse license number RN175655, issued to Kari Jo Fleming. This Order of Voluntary Surrender hereby entered shall be filed with the Board and shall be made public upon the effective

1 date of this Consent Agreement. Respondent shall not practice in Arizona under the privilege of a
2 multistate license.

3 IT IS FURTHER ORDERED that Respondent may apply for re-issuance of said license after a
4 period of three years.

5 SEAL

ARIZONA STATE BOARD OF NURSING

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8 Joey Ridenour, R.N., M.N., F.A.A.N.
9 Executive Director

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11 Acceptance Date: 10/10/2017

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EXECUTED COPY e-mailed
this 11TH day of October, 2017 to:



Kari Jo Fleming
Respondent

By: Trina Smith
Legal Assistant