

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: KATHRYN ELLEN SMITH, L.P.N.
License Number: 0002-079963
Issue Date: March 11, 2009
Expiration Date: September 30, 2018
Case Number: 177449

**NOTICE OF INFORMAL CONFERENCE
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that an Informal Conference has been scheduled before the Board of Nursing ("Board") regarding your license to practice practical nursing in the Commonwealth of Virginia.

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| TYPE OF PROCEEDING: | This is an informal conference before a Special Conference Committee ("Committee") of the Board. |
| DATE AND TIME: | October 4, 2017 10:30 A.M. |
| PLACE: | Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd Floor - Virginia Conference Center Henrico, Virginia 23233 |

LEGAL AUTHORITY AND JURISDICTION:

1. This informal conference is being held pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. At the conclusion of the proceeding, the Committee is authorized to take any of the following actions:

- Exonerate you;
- Reprimand you;
- Require you to pay a monetary penalty;
- Place you on probation and/or under terms and conditions;
- Refer the matter to the Board of Nursing for a formal administrative hearing; or .
- Offer you a consent order for suspension or revocation of your license in lieu of a formal hearing.

ABSENCE OF RESPONDENT AND RESPONDENT'S COUNSEL:

If you fail to appear at the informal conference, the Committee may proceed to hear this matter in your absence and may take any of the actions outlined above.

RESPONDENT'S LEGAL RIGHTS:

You have the right to the information on which the Committee will rely in making its decision, to be represented by counsel at this proceeding, to subpoena witnesses and/or documents, and to present relevant evidence on your behalf.

INFORMAL CONFERENCE MATERIALS:

Enclosed is 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 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.**

FILING DEADLINES:

Deadline for filing materials: **September 27, 2017**. Submit 5 copies of all documents you want the Board to consider to Lakisha Goode, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.

REQUEST FOR A CONTINUANCE

Absent exigent circumstances, such as personal or family illness, a request for a continuance after **September 27, 2017**, will not be considered. If you obtain counsel, you should do so as soon as possible, as a motion for a continuance due to the unavailability of counsel will not be considered unless received by **September 27, 2017**.

STATEMENT OF ALLEGATIONS

The Board alleges that:

1. At all times relevant hereto, Kathryn Ellen Smith, L.P.N., was licensed to practice practical nursing in the Commonwealth of Virginia.

2. During the course of her employment with Timberview Crossing Assisted Living, Timberview, Virginia:

a. Kathryn Ellen Smith, L.P.N., violated Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-20-300(A)(2)(d) and (f) of the Regulations Governing the Practice of Nursing (“Regulations”) (currently found at 18 VAC 90-19-230(A)(2)(d) and (f) effective February 24, 2017), in that in or about July 2016 through August 2016, she failed to assess residents’ wounds, and assigned registered medication aides to perform wound care, using first aid methods, on Resident A, who had a diabetic ulcer with drainage on his great toe, and on Resident B, who had an open wound where the bone was visible.

b. Ms. Smith violated Virginia Code § 54.1-3007(2), (5) and (8) and 18 VAC 90-20-300(A)(2)(f) of the Regulations (currently found at 18 VAC 90-19-230(A)(2)(f), effective February 24, 2017), in that she failed to submit International Normalized Ratio (“INR”) test results to residents’ physicians in a timely manner. On or about August 16, 2016, Resident C’s physician called the facility requesting the resident’s results from May 2016 through that date.

See Confidential Attachment for the names of the residents referenced above.



Jodi Power, R.N., J.D.
Deputy Executive Director
Virginia Board of Nursing

September 13, 2017
Date