

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: KATHY ANN MERONE, R.N.  
License Number: 0001-154765  
Case Number: 170802

RATIFICATION AND ORDER

On July 19, 2017, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Kathy Ann Merone, R.N., was not present nor was she represented by legal counsel.


In consideration whereof, the Board of Nursing ACCEPTS the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and ADOPTS the Recommended Order in its entirety.

Pursuant to Virginia Code § 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 and copying upon request.

Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Merone's health records or health services.

Pursuant to Virginia Code § 54.1-2400(10), Ms. Merone may, not later than 5:00 p.m., on August 30, 2017, notify Jay P. Douglas, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD

*for*   
Jay Douglas, M.S.M, R.N., C.S.A.C., F.R.E.  
Executive Director  
Virginia Board of Nursing

Certified True Copy

By   
Virginia Board Of Nursing

ENTERED AND MAILED ON:

*July 25, 2017*

This Order shall become final on August 30, 2017, unless a request for a formal administrative hearing is received as described above.

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:           KATHY ANN MERONE, R.N.**  
**License Number:   0001-154765**  
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**REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE**

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**Jurisdiction and Procedural History**

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Allison Gregory, M.S., R.N., F.N.P.-B.C., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on June 5, 2017 in Henrico County, Virginia, to inquire into evidence that Kathy Ann Merone, R.N., may have violated certain laws and regulations governing the practice of nursing in the Commonwealth of Virginia.

Ms. Merone appeared at this proceeding and was not represented by legal counsel.

Upon consideration of the evidence, the Agency Subordinate makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

**Notice**

By letter dated May 8, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Merone notifying her that an informal conference would be held on June 5, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

**Recommended Findings of Fact and Conclusions of Law**

1.     Kathy Ann Merone, R.N., was issued License Number 0001-154765 to practice professional nursing on July 16, 1997, which is scheduled to expire on December 31, 2017. At all times relevant to the findings herein, said license was in full force and effect. Her primary state of residence is Virginia.

2. Kathy Ann Merone, R.N., violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice professional nursing due to alcohol abuse and mental illness, as evidenced by the following:
  - a. On October 19, 2015, Ms. Merone appeared to be intoxicated when she presented for alcohol abuse treatment at Blue Ridge First Step, Charlottesville, Virginia.
  - b. Between November 16 and December 2, 2015, she participated in an outpatient program for treatment of alcohol abuse at Pathways Treatment Center, Lynchburg, Virginia.
  - c. On January 10, 2016, Ms. Merone was charged with Drunk in Public (“DIP”) in Charlottesville, Virginia. She prepaid the penalty and waived a hearing in the Albemarle County, Virginia, General District Court on February 4, 2016.
  - d. On February 24, 2016, Ms. Merone was voluntarily hospitalized at UVA Hospital, Charlottesville, Virginia, for treatment of symptoms related to alcohol abuse. Her discharge diagnoses on February 29, 2016 included alcohol use disorder, severe (dependence) and borderline personality disorder.
  - e. On May 12, 2016, Ms. Merone entered the Farley Center, Williamsburg, Virginia, for treatment of alcohol abuse. While there, she became agitated and was asked to leave but refused, and was transported to Sentara Williamsburg Hospital via Temporary Detention Order.
  - f. On May 14, 2016, she was again hospitalized at UVA Hospital, upon transfer from Sentara Williamsburg Hospital, for management of alcohol withdrawal. Her discharge diagnoses on May 19, 2016 included alcohol dependence and depression.
  - g. On July 13, 2016, she was charged with DIP, and she was convicted of the offense on August 2, 2016, in the Albemarle County, Virginia, General District Court.
  - h. On February 6, 2017, she was charged with DIP, and she was convicted of the offense on March 20, 2017, in the Albemarle County, Virginia, General District Court.

3. At the informal conference, Ms. Merone acknowledged that she was an alcoholic. She stated that she was a closet drinker who self-medicated for depression. Since being hospitalized in May 2016, she received residential treatment at Timberline Knolls, a facility located in Chicago, Illinois, where she was diagnosed with dependent personality disorder. She also received residential treatment at the Life Center, Galax, Virginia. She completed substance abuse intensive outpatient treatment with Region Ten Community Services Board, and is now attending a women's outpatient group twice a week. She is subject to breath and urine toxicology testing every two weeks. She also attends AA/NA meetings at least five days a week and has a home group and a sponsor. She is working on Step Three. She stated that her date of sobriety was March 27, 2016. After receiving residential treatment, she resided at a sober living facility, and she now resides with a roommate who is also in recovery.

4. Ms. Merone sees a psychiatrist every two weeks for medication management and a clinical psychologist twice a week. Her current medications include Effexor ER 300mg, Prozac 80mg, and gabapentin 600mg.

5. Ms. Merone last practiced nursing in 2009 as a volunteer with the Charlottesville Free Clinic. Her last paid position was as a substitute school nurse in 2008. She stated that she was willing to enter the Health Practitioners' Monitoring Program and that she did not plan to go back to practicing nursing until she has had 18 months without a relapse.

6. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Merone's health records or health services.

### **Recommended Order**

Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Board issue an Order as follows:

1. The Board shall TAKE NO ACTION at this time, contingent upon Ms. Merone's compliance with the following terms and conditions:

a. Kathy Ann Merone, R.N., shall enter into the Virginia Health Practitioners' Monitoring Program ("HPMP") and shall provide to the Board proof of entry into a Contract with the HPMP within 60 days of the date this Order is entered. Thereafter, Ms. Merone shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.

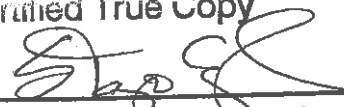
b. Kathy Ann Merone, R.N., shall comply with all laws and regulations governing the practice of nursing in the Commonwealth of Virginia.

c. This Order is applicable to Ms. Merone's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Merone shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where she seeks to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

2. Upon receipt of evidence of Ms. Merone's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Merone's appearance before the Board and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

3. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of nursing shall constitute grounds for further disciplinary action.

Reviewed and approved on June 16, 2017  
By Allison Gregory, M.S., R.N., F.N.P.-B.C.  
Agency Subordinate

Certified True Copy  
By   
Virginia Board Of Nursing