

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: KARA PATTON, R.N.
License Number: 0001-190942
Case Number: 169370

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), a Special Conference Committee of the Virginia Board of Nursing (“Board”) held an informal conference on April 12, 2016, in Henrico County, Virginia, to inquire into evidence that Kara Patton, R.N., may have violated certain laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.

Kara Patton, R.N. appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated March 11, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Patton notifying her that an informal conference would be held on April 12, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Kara Patton, R.N. was issued License Number 0001-190942 to practice professional nursing on June 30, 2004, which is scheduled to expire on September 30, 2016. At all times relevant to the allegations contained herein, said license was in full force and effect. Her primary state of residence is Virginia.

2. Ms. Patton violated Virginia Code § 54.1-3007(5) and (6) in that during the course of her employment with Riverside Regional Jail, Prince George, Virginia, on August 20, 2015, Ms. Patton was observed to be impaired at work, including sleeping on duty, slurring her words, and being unaware of her surroundings. Further, she improperly documented or failed to document vital signs for three different patients.

3. Ms. Patton's employment with Riverside Regional Jail was terminated after the August 2015 incidents.

4. Ms. Patton violated Virginia Code § 54.1-3007(6) in that:

a. Ms. Patton stated that she believed her actions at work on August 20, 2015, were related to post-seizure activity. A physician who had treated her stated she had exhibited symptoms consistent with seizure activity.

b. Ms. Patton has a long history of migraines and stated at the informal conference that she had developed a physical addiction to Fioricet with codeine, which she had taken for many years as prescribed to treat the migraines.

c. From August 21, 2015, through August 26, 2015, Ms. Patton was hospitalized at Tucker Pavilion, Chippenham Johnston-Willis Hospital, Richmond, Virginia. She was diagnosed with bipolar disorder and depression.

5. In December 2015, Ms. Patton changed her course of her treatment, and she is now being treated for migraines and seizure activity. Her medication now includes non-narcotic migraine and anti-convulsive medication.

6. Ms. Patton is currently in individual counseling to address her depressive disorder.

7. No narcotic medication has been prescribed to her since February 2016.

8. Ms. Patton is currently employed with Fluvanna Correctional Center for Women as an R.N. Ms. Patton submitted positive letters of reference from the medical director and the nursing director at the Fluvanna Correctional Center for Women.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS that Kara Patton, R.N., shall be placed on PROBATION for a period of 12 months of actual nursing practice and subject to the following terms and conditions:

1. The period of probation shall begin on the date that this Order is entered and shall end at such time as Ms. Patton has completed 12 months of active practice in employment as a professional nurse (“practice employment”). The license of Ms. Patton shall be reinstated without restriction at the completion of the probationary period without an administrative proceeding unless there is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, Virginia Code § 2.2-4000 et seq and Virginia Code § 54.1-2400(9).

2. Ms. Patton shall have an evaluation by a mental health specialist and a third-party neurologist satisfactory to the Board and shall have a written report of the evaluations, including a diagnosis, a recommended course of therapy, and a prognosis sent to the Board within 90 days from the date this Order is entered. Ms. Patton shall comply with any treatment recommendations of the specialist and neurologist. If therapy is recommended, written progress reports by the therapist shall be sent to the Board on a quarterly basis until Ms. Patton is discharged from therapy. Written progress reports from the neurologist shall be sent to the Board on a quarterly basis until Ms. Patton is discharged from treatment. Ms. Patton shall direct the therapist to notify the Board if she withdraws from the treatment program

before being officially discharged by the therapist and direct the neurologist to notify the Board if she withdraws from the care of the neurologist before being officially discharged by the neurologist.

3. Ms. Patton shall not use alcohol or any other mood-altering chemical, except as prescribed by a health-care practitioner with whom she has a bone fide practitioner/patient relationship and for accepted medicinal or therapeutic purposes. Should she be prescribed any Schedule II-V controlled medication, a written report from the prescribing practitioner shall be provided to the Board within ten days of the date the medication is prescribed.

4. Ms. Patton shall be required to have one supervised, unannounced, random drug screen a quarter from a Board-approved testing entity, which includes testing for alcohol and the following drugs of choice: barbiturates, codeine, morphine, and oxycodone.

5. Performance Evaluations shall be provided to the Board, at the direction of Ms. Patton, by all practice employer(s), using the forms provided by Compliance and available on the Board's website.

6. Ms. Patton shall practice only in her current position with the Fluvanna Correctional Center for Women or in a structured/supervised practice employment setting satisfactory to the Board for the first 12 months of probation. This employment setting shall provide on-site supervision by a physician or licensed nurse practitioner or professional nurse who works the same shift and holds an unrestricted license. Before changing practice employment during this period, Ms. Patton shall have all prospective practice employers provide a written description of the employment setting to the Board for approval.

7. Ms. Patton shall return all copies of her license to the Board within ten days of the date of entry of this Order along with a payment of a duplicate license fee as specified in the regulations

governing nursing. Upon receipt, the Board shall issue a replacement professional nurse license marked “Valid in Virginia Only; Probation with Terms.”

8. Written reports are required by this Order and, unless otherwise specified, shall be sent to Compliance at the Board offices with the first report(s) received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends. Many of the required report forms are available on the Board’s website for your convenience.

9. Ms. Patton shall inform the Board in writing within ten days of the date any practice employment begins, changes, is interrupted, or ends. Additionally, Ms. Patton shall provide a contact name, address, and phone number for each practice employer to the Board.

10. Ms. Patton shall inform all current and future practice employers that the Board has placed her on probation and Ms. Patton shall provide each practice employer with a complete copy of this Order. If Ms. Patton is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation. If Ms. Patton is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.

11. Ms. Patton shall provide all current and future treating practitioners with a complete copy of this Order and shall execute an *Authorization for Disclosure of Information* form providing for unrestricted communication between the Board, Compliance, and any treatment providers, court-appointed probation or parole officers, and/or any consultants designated by the Board, if applicable.

12. Ms. Patton shall submit “Self-Reports” which include a current address, telephone number, and verification of any and all current practice employment. These reports shall also include any changes in practice employment status. Self Reports must be submitted whether Ms. Patton has current practice employment or not.

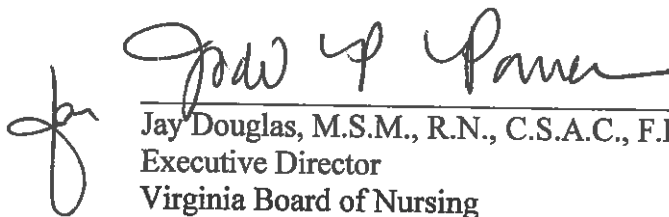
13. Ms. Patton shall conduct herself as a professional nurse in compliance with the requirements of Title 54.1, Chapter 30 of the Code and the Board of Nursing Regulations.

14. Any violation of the stated terms and conditions contained in this Order, or failure to comply with all terms of this Order within five years of the date of entry of the Order, shall be reason for suspending or revoking the license of Ms. Patton, and an administrative proceeding may be held to determine whether her license shall be suspended or revoked.

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

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 and copying upon request.

FOR THE BOARD


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

ENTERED AND MAILED: April 29, 2016

Certified True Copy
By: 
Virginia Board of Nursing

NOTICE OF RIGHT TO APPEAL

Pursuant to Virginia Code § 54.1-2400(10), Ms. Patton may, not later than 5:00 p.m., on June 1, 2016, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., 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. This Order shall become final on June 1, 2016, unless a request for a formal administrative hearing is received as described above.