

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:**

**RACHEL M. KONE, R.N.**

**AMENDED NOTICE OF HEARING**

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Rachel M. Kone, R.N., who holds License No. 0001-172214 to practice professional nursing in Virginia, which expires on January 31, 2012, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on May 17, 2010, at 1:00 p.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Ms. Kone will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Kone has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. Kone desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to inquire into evidence that Rachel M. Kone, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia, as more fully set forth in the Statement of Particulars below.

**STATEMENT OF PARTICULARS**

The Board alleges that:

1. Ms. Kone may have violated § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(e) and (f) of the Regulations Governing the Practice of Nursing (“Regulations”) in that:

a. On or about July 21, 2008, Ms. Kone documented in Patient A’s record that the patient had a negative urine pregnancy test without any supporting documentation.

b. On or about October 3, 2008, Ms. Kone falsely documented receiving a verbal order to dispense Permethrin cream to Patient B.

c. On or about October 23, 2008, Ms. Kone recorded Patient C’s last menstrual period as October 27, 2008. Further, Ms. Kone listed the patient’s Rubella status as “immune” without any supporting documentation.

2. Ms. Kone may have violated § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations in that:

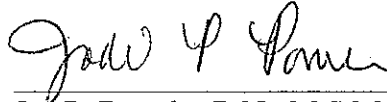
a. On or about June 16 and August 12, 2008, Ms. Kone administered Depo-Provera to Patient D, despite the fact that the patient had not received a bone density test as ordered, and was outside the interval range in the product’s prescribing information.


b. On or about August 25, 2008, Ms. Kone administered Depo-Provera to Patient E, who did not present for such an injection.

c. On or about November 14, 2008, Ms. Kone administered Depo-Provera to Patient F, despite an order that she not be administered Depo-Provera until she had a negative urine pregnancy test and two weeks’ abstinence from sexual intercourse. Ms. Kone had documented on November 12, 2008, that she had last had intercourse on November 9, 2008.

d. On or about November 14, 2008, Ms. Kone referred Patient G for a colposcopy without an order, incorrectly noting that Patient G's Pap smear was positive for HPV.

FOR THE BOARD



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

ENTERED: April 2, 2010