

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: KATHERINE W. STOTT, R.N.
License No.: 0001-076757

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on March 8, 2016, in Henrico County, Virginia. Katherine W. Stott, R.N., was present and was represented by Raul Novo, Esquire. Judith Piersall, R.N., B.S.N., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On May 18, 2016, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Stott was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Katherine W. Stott, R.N., was issued License No. 0001-076757 to practice professional nursing in Virginia on April 2, 1980. The license is scheduled to expire on December 31, 2016. Her primary state of residence is Virginia.
2. By letter dated December 17, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Stott notifying her that an informal conference would be held on January 12, 2016. The Notice was sent by certified and first class mail to 1719 Winding Way, Richmond, Virginia 23235, the address of record on file with the Board of Nursing. Subsequently, Ms. Stott requested a continuance. By letter dated January 12, 2016, Ms. Stott was notified that the informal

conference would be held on March 8, 2016.

3. From March 20 to March 23, 2015, Ms. Stott was hospitalized at CJW Medical Center, Richmond, Virginia, for depression and opiate abuse.

4. On April 2, 2015, Ms. Stott began psychotherapy at Dominion Behavioral Healthcare; however, she withdrew from treatment in July 2015, before being officially discharged by the therapist.

5. On April 14, 2015, Ms. Stott entered substance abuse treatment at the Richmond Southside Treatment Center, which included the use of methadone. During treatment, Ms. Stott twice tested positive for substances for which she did not have a valid prescription.

6. By her own admission, Ms. Stott consumed Adderall (amphetamine and dextroamphetamine, C-II) and Xanax (alprazolam, C-IV) prescribed to family members.

7. Ms. Stott acknowledged having a long history of chemical dependency, that included opiate and alcohol dependence. She entered the Health Practitioners' Monitoring Program ("HPMP") in 1999 and successfully completed the program in 2004. She remained clean for ten years until she was treated with opiates in 2014, for a physical condition. Ms. Stott acknowledged that she initially used the medication as prescribed, but then her use escalated to the point where she was consuming up to 40 Percocet per day prior to her March 2015 inpatient admission.

8. Ms. Stott reported that in January 2016, she entered an accelerated substance abuse treatment program at The Coleman Institute, Richmond, Virginia, during which she received a naltrexone (C-IV) pellet. Ms. Stott reported that she detoxed from methadone on January 14, 2016, which is her sobriety date. She is scheduled to begin treatment at the Richmond IOP on March 9, 2016. She attends Alcoholics Anonymous or Narcotics Anonymous meetings once a week. She has a sponsor and talks to her one or two times a week.

9. Ms. Stott reported that Peter Coleman, M.D., is now her primary care practitioner and she

is prescribed Wellbutrin, Atenol, Synthroid, AcipHex and Antabuse. She also receives treatment from a rheumatologist, who prescribes Arava (leflunomide, C-VI). She indicated all her treating providers, including her oral surgeon, are now aware of her chemical dependency.

10. On September 10, 2001, in the Circuit Court of the City of Richmond, Virginia, Ms. Stott was convicted of obtaining drugs by fraud. This resulted from underlying actions that led to her voluntary participation in the HPMP in 1999.

11. Ms. Stott has been employed at Anthem, Inc., as a Senior Nurse Consultant since March 6, 2000, which is a non-direct patient care role. She has been on a voluntary leave of absence since December 28, 2015, explaining her strength is recognizing when she is unable to function safely to work in her nursing role. Ms. Stott continues to receive health insurance for herself and her family through this employment.

12. Ms. Stott has not re-entered the HPMP as she feels her current treatment plan is meeting her needs for treatment and drug screen monitoring. Additionally, there is concern that the HPMP may not approve her use of naltrexone and her and her family's access to health insurance, which allows her to continue in treatment, would end if the HPMP does not allow her to continue her nursing employment with Anthem.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 3-6 constitute a violation of § 54.1-3007(6) of the Code.
2. Finding of Fact No. 10 constitutes a violation of § 54.1-3007(4) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED that Katherine W. Stott, R.N., shall be placed on PROBATION for two years of actual nursing practice 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 Katherine W. Stott, R.N., has completed two years of active practice in employment as a professional nurse. The license of Ms. Stott 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, § 2.2-4000 et seq. and § 54.1-2400 et seq. of the Code.
2. Ms. Stott shall participate in and successfully complete intensive outpatient treatment at Richmond IOP within 90 days of entry of this Order. Following completion of the treatment program, Ms. Stott shall direct her treatment provider at Richmond IOP to provide written notification and a discharge summary regarding her completion of the program and any recommendations for follow-up care. Ms. Stott shall comply with all recommended follow-up treatment. Ms. Stott shall direct the therapist to notify the Board if she withdraws from the treatment program before being officially discharged by the therapist.
3. Ms. Stott shall not use alcohol or any other mood altering chemical, except as prescribed by a health care practitioner with whom she has a bona 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. Stott shall be required to have four supervised, unannounced random drug screens a month, from a Board-approved testing entity, which includes testing for alcohol and the following drugs of choice: opiates. The Board shall be notified immediately in writing if Ms. Stott refuses to give a

specimen for analysis as required by this Order, or of any positive results. All positive results must be confirmed by a confirmatory drug test, the results of which are to be sent to the Board immediately.

5. Ms. Stott shall attend Alcoholics Anonymous, Narcotics Anonymous, Cocaine Anonymous, Caduceus recovery support groups or other groups acceptable to the Board two times per week and shall have written evidence of attendance by a sponsor or contact person sent to the Board within ten days of each meeting.

6. Performance Evaluations shall be provided to the Board, at the direction of Ms. Stott, by all practice employers, using the forms provided by Compliance and available on the Board's website.

7. Ms. Stott shall practice only in a non-direct patient care employment setting satisfactory to the Board, for the entire period of probation. Her current employment as a Senior Nurse Consultant with Anthem is considered to be approved. Before beginning or changing practice employment during this period, Ms. Stott shall have all prospective practice employers provide a written description of the employment setting to the Board office for approval.

8. Ms. Stott shall return all copies of her license to practice as a professional nurse to the Board office within ten days of the date of entry of this Order, along with payment of a duplicate license fee as specified in the Regulations Governing the Practice of Nursing. Upon receipt, the Board shall issue a replacement professional nurse license marked "Valid in Virginia Only; Probation with Terms."

9. Written reports are required by this Order and, unless otherwise specified, shall be sent to Compliance at the Board offices with the first reports 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.

10. Ms. Stott shall inform the Board in writing within ten days of the date any practice

employment begins, changes, is interrupted, or ends. Additionally, Ms. Stott shall provide a contact name, address, and phone number for each practice employer to the Board.

11. Ms. Stott shall inform all current and future practice employers that the Board has placed her on probation and Ms. Stott shall provide each practice employer with a complete copy of this Order.

12. Ms. Stott 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 any/or consultants designated by the Board, if applicable.

13. Ms. Stott 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. Stott has current practice employment or not.

14. Ms. Stott 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.

15. 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 Katherine W. Stott, R.N., and an administrative proceeding may be held to determine whether her license shall be suspended or revoked.

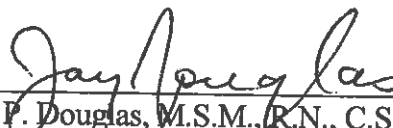
16. This Order is applicable to Ms. Stott's multistate nursing licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Stott shall not practice outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege 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 § 54.1-2400.2 of the Code, 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 Section 54.1-2400(10) of the Code, Ms. Stott may, not later than 5:00 p.m., on July 4, 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.

FOR THE BOARD:



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

ENTERED: June 1, 2016

This Order shall become final on July 4, 2016, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 

Virginia Board of Nursing