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VA BD OF NURSING

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: **MELANIE KEFFER, R.N.**
License No.: 0001-222669

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Melanie Keffer, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Keffer's license to practice professional nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Melanie Keffer, R.N., was issued License No. 0001-222669 to practice professional nursing by the Virginia Board of Nursing on January 11, 2010. Said license is set to expire on December 31, 2017. Ms. Keffer's primary state of residence is Virginia.
2. During the course of her employment with AMN Travel Nurse Agency, while assigned to Sentara Virginia Beach General Hospital, on July 31, 2015, Ms. Keffer failed to administer ordered pain medications to a patient who was reporting pain at 9.5 on a 10-point scale.
3. During the course of her employment with AMN Travel Nurse Agency, while assigned to Sentara Virginia Beach General Hospital, Ms. Keffer diverted narcotic medication for her personal and unauthorized use on multiple occasions. Specifically:
 - a. On July 20, 2015, at 3:46 p.m., Ms. Keffer withdrew 100 mcg of fentanyl (C-II) for Patient A and failed to account for the administration, wastage or return of the medication.

- b. On July 21, 2015, at 11:33 a.m., Ms. Keffer withdrew 100 mcg of fentanyl, documented the administration of 25 mcg for Patient B and failed to account for the administration, wastage or return of 75 mcg of the medication.
- c. On July 24, 2015, at 12:25 p.m., Ms. Keffer withdrew a 50 mg/mL 1 mL vial of meperidine (C-II) for Patient C and failed to account for the administration, wastage or return of the medication.
- d. On July 24, 2015, Ms. Keffer withdrew a 50 mg/mL 1 mL vial of meperidine for Patient D at 9:21 a.m. and another at 9:49 a.m., documented the administration of 50 mg, documented the waste of 37.5 mg, and failed to account for the administration, wastage or return of 12.5 mg of the medication.
- e. On July 24, 2015, at 2:39 p.m., Ms. Keffer withdrew 100 mcg of fentanyl for Patient E and failed to account for the administration, wastage or return of the medication.
- f. On July 27, 2015, at 10:40 a.m., Ms. Keffer withdrew a 50 mg/mL 1 mL vial of meperidine for Patient F and failed to account for the administration, wastage or return of the medication.
- g. On July 27, 2015, at 11:49 a.m., Ms. Keffer withdrew a 50 mg/mL 1 mL vial of meperidine for Patient G, documented the administration of 12.5 mg and failed to account for the administration, wastage or return of 37.5 mg the medication.
- h. On July 27, 2015, at 3:06 p.m., Ms. Keffer withdrew a 50 mg/mL 1 mL vial of meperidine for Patient H and failed to account for the administration, wastage or return of the medication.
- i. On July 27, 2015, Ms. Keffer withdrew two 100 mcg/2mL 2mL vials of fentanyl for Patient H, one at 3:06 p.m., and one at 3:38 p.m., documented the administration of 125 mcg, and failed to account for the administration, waste, or return of 75 mcg of the medication.

- j. On July 27, 2015, at 4:16 p.m., Ms. Keffer withdrew one 2 mg/mL vial of hydromorphone (C-II) for Patient H, documented the administration of 1 mg and failed to account for the administration, waste, or return of 1 mg of the medication.
- k. On July 28, 2015, at 4:38 p.m., Ms. Keffer withdrew a 50 mg/mL 1 mL vial of meperidine for Patient I and failed to account for the administration, wastage or return of the medication.
- l. On July 28, 2015, at 4:39 p.m., Ms. Keffer withdrew 100 mcg of fentanyl for Patient I and failed to account for the administration, wastage or return of the medication.
- m. On July 28, 2015, at 9:20 a.m., Ms. Keffer withdrew a 50 mg/mL 1 mL vial of meperidine for Patient J, documented the administration of 12.5 mg of the medication and failed to account for the administration, wastage or return of 37.5 mg of the medication.
- n. On July 28, 2015, at 3:02 p.m., Ms. Keffer withdrew one 100 mcg/2mL 2mL vial of fentanyl for Patient K, and failed to account for the administration, waste, or return of the medication.
- o. On July 30, 2015, at 12:19 p.m., Ms. Keffer withdrew one 50 mg/ml 1 mL vial of meperidine for Patient L, documented the waste of 37.5 mg and failed to account for the administration, waste, or return of 12.5 mg of the medication.
- p. On July 31, 2015, Ms. Keffer withdrew one 50 mg/ml 1 mL vial of meperidine for Patient M at 3:01 p.m., documented the administration of 25 mg and failed to account for the administration, waste, or return of 25 mg of the medication.
- q. On July 31, 2015, at 1:54 p.m., Ms. Keffer withdrew one 50 mg/ml 1 mL vial of meperidine for Patient N and failed to account for the administration, waste, or return of the medication.
- r. On July 31, 2015, at 1:56 p.m., Ms. Keffer withdrew one 100 mcg/2mL 2mL vial of fentanyl for Patient N and failed to account for the administration, waste, or return of the medication.

- s. On July 31, 2015, at 4:46 p.m., Ms. Keffer withdrew one 50 mg/mL 1 mL vial of meperidine for Patient O and failed to account for the administration, waste or return of the medication.
- t. On July 31, 2015, at 4:46 p.m., Ms. Keffer withdrew one 100 mcg/2mL 2mL vial of fentanyl for Patient O and failed to account for the administration, waste, or return of the medication.
- u. On August 1, 2015, at 1:38 p.m., Ms. Keffer withdrew one 50 mg/mL 1 mL vial of meperidine for Patient P and failed to account for the administration, waste or return of the medication.
- v. On August 3, 2015, at 9:40 p.m., Ms. Keffer withdrew one 2 mg/mL 1 mL vial of hydromorphone for Patient Q and failed to account for the administration, waste, or return of the medication.
- w. On August 4, 2015, at 5:05 p.m., Ms. Keffer withdrew one 50 mg/mL 1 ml vial of meperidine for Patient R and failed to account for the administration, waste or return of the medication.
- x. On August 4, 2015, at 5:05 p.m., Ms. Keffer withdrew one 100 mcg/2mL 2mL vial of fentanyl for Patient R, documented the administration of 25 mcg and failed to account for the administration, waste, or return of 75 mcg of the medication.

4. Ms. Keffer signed a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") on September 11, 2015, in which she acknowledged she may suffer from the disease of alcoholism and/or chemical dependency.

5. Ms. Keffer was dismissed from the HPMP on February 5, 2016, for noncompliance, including failure to complete an assessment as recommended.

CONCLUSIONS OF LAW

- 1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing ("Regulations").
- 2. Findings of Fact Nos. 3(a) through 3(x) constitute violations of § 54.1-3007(2), (5), (6), and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations.

3. Findings of Fact Nos. 4 and 5 constitute a violation of § 54.1-3007(6) of the Code.

CONSENT

Melanie Keffer, R.N., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice professional nursing in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

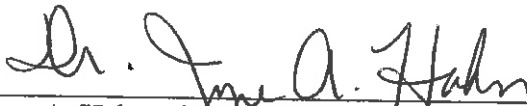
1. License No. 0001-222669 of Melanie Keffer, R.N., is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Keffer shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and

competent practice of professional nursing. Ms. Keffer shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.

4. This suspension applies to any multistate privilege to practice professional nursing.

Pursuant to §§ 2.2-4023 and 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 public record and shall be made available for public inspection or copying upon request.

FOR THE BOARD



Joyce A. Hahn, PhD, RN, NEA-BC, FNAP
President, Virginia Board of Nursing

ENTERED: 5/17/16

SEEN AND AGREED TO:


Melanie Keffer, R.N.

Arlene Berenice Caffero
Notary Public
Commonwealth of Virginia
Registration 7530445
Comm. Expires 06/30/2016

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Norfolk, TO WIT:

Subscribed and sworn to before me, Arlene Caffero, a Notary Public, this 13 day of April, 2016.

My commission expires _____.

Registration Number _____.



NOTARY PUBLIC

Certified True Copy

By M. Bawler
Virginia Board of Nursing