

RECEIVED

FEB 09 2016

VIRGINIA:

BEFORE THE BOARD OF NURSING

VA BD OF NURSING

**IN RE: KRISTINE N. DIGGS, R.N.
 License No.: 0001-199244**

CONSENT ORDER

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

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

FINDINGS OF FACT

1. Kristine N. Diggs, R.N. was issued License No. 0001-199244 to practice professional nursing by the Virginia Board of Nursing on December 5, 2005. Said license is valid in Virginia only and is set to expire on February 28, 2017. Her primary state of residence is Virginia.
2. Pursuant to an Order of the Board of Nursing entered November 23, 2009 ("Board's Order"), Ms. Diggs was placed on probation for a period of three years employment as a professional nurse under certain terms and conditions
3. Term 1(g) of the Board's Order required Ms. Diggs to not use alcohol or other mood altering substance unless prescribed by a health care practitioner with which she had a bona fide practitioner/patient relationship and for accepted medical or therapeutic purposes. If Ms. Diggs was prescribed a C II-V medication, the Board was to receive a written report from the prescribing practitioner within ten days of the date the medication is prescribed. Between November 23, 2009 and November 16, 2015, Ms. Diggs received 101 prescriptions of Schedule II and III controlled substances from 20 health care practitioners. The Board received prescription reports for two prescriptions in February and November 2011.

4. Term 1(h) of the Board's Order required Ms. Diggs to have two supervised, unannounced random drug screens a month from a Board-approved testing entity, to include testing for alcohol, marijuana, and opiates. Ms. Diggs shall ensure that the results are received quarterly on the last day of the months of March, June, September and December until her probation ends. Ms. Diggs did not submit drug screens from August to December 2010, June to November 2011, and for all of the years 2012, 2013, and 2014. Her drug screen submitted December 28, 2011 had a positive result for methamphetamine and amphetamines.

5. Term 1(i) of the Board's Order required Ms. Diggs to provide all current and future practitioners with a complete copy of the Board's Order and to execute an Authorization for Disclosure of Information form providing for unrestricted communication between the Board and any consultants designated by the Board. Of 20 practitioners who saw Ms. Diggs between November 23, 2009 and November 16, 2015, The Board received only 2 verifications of notification of the Board's Order. One practitioner indicated that they only received a partial copy of the Board's Order.

6. Term 1(j) of the Board's Order required Ms. Diggs to submit quarterly "Self-Reports" to be received quarterly on the last day of the months of March, June, September and December until her probation ends. Self-reports for 2010, 2011 and March and June of 2012 were not received in a timely manner. No other reports were received.

7. By letter to the Board of Nursing dated November 14, 2015, Ms. Diggs stated that she could not afford drug screens and that she was surrendering her license. Her license was included in the letter.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 3 constitutes a violation of Term No. 1(g) of the Board's Order.
2. Finding of Fact No. 4 constitutes a violation of Term No. 1(h) of the Board's Order.
3. Finding of Fact No. 5 constitutes a violation of Term No. 1(i) of the Board's Order.
4. Finding of Fact No. 6 constitutes a violation of Term No. 1(j) of the Board's Order.

CONSENT

Kristine N. Diggs, 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

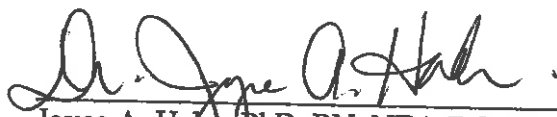
WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. The Board ACCEPTS the VOLUNTARY SURRENDER for INDEFINITE SUSPENSION of Kristine N. Diggs' license to practice professional nursing in the Commonwealth of Virginia.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Diggs 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. Diggs 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: March 22, 2016

SEEN AND AGREED TO:



Kristine N. Diggs, R.N.

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

Subscribed and sworn to before me, Kelly Purdie, a Notary Public, this 8 day of February, 2016.

My commission expires 8/31/2018

Registration Number 7585689

KELLY ELIZABETH PURDIE
NOTARY PUBLIC
REGISTRATION # 7585689
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
AUGUST 31, 2018

Certified True Copy

By 

Virginia Board of Nursing



NOTARY PUBLIC