

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: KELLIE BELL GARNES, R.N. REINSTATEMENT APPLICANT
License No.: 0001-187028

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on February 1, 2016, in Henrico County, Virginia, to receive and act upon Kelli Bell Garnes’ application for reinstatement of her license to practice professional nursing in Virginia and to inquire into evidence that Ms. Garnes may have violated certain laws and regulations governing professional nursing practice. Ms. Garnes was present and was not represented by counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Kelli Bell Garnes was issued License No. 0001-187028 to practice professional nursing in the Commonwealth of Virginia on August 21, 2003. Said license expired on July 31, 2008. On August 14, 2008, the Board indefinitely suspended Ms. Garnes’ right to renew her license to practice professional nursing. Ms. Garnes’ primary state of residence is Virginia.
2. By letter dated December 28, 2015, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Garnes notifying her that an informal conference would be held on February 1, 2016. The Notice was sent by certified and first class mail to 414 North River Road, Bridgewater, Virginia, 22812, the address of record on file with the Board of Nursing.
3. Ms. Garnes submitted an application for reinstatement of her license to practice professional nursing which was received by the Board on July 9, 2015.

4. In 2006 and 2007, Ms. Garnes abused cocaine, and she has never received treatment or attended any support groups for substance abuse.
5. Ms. Garnes reported her sobriety date as November 2, 2007. She stated that she has become heavily involved with her church and has removed people who were negative influences on her from her life.
6. Ms. Garnes stated she would like to work in an assisted living setting.
7. Ms. Garnes stated that she is willing to enter Health Practitioners' Monitoring Program ("HPMP"). She stated she was remorseful and realized the severity of her actions.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code.
2. Based on the above Findings of Fact, the Committee concludes that Ms. Garnes is a candidate for the Health Practitioners' Monitoring Program ("HPMP").
3. The Committee concludes that Ms. Garnes has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner with monitoring.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. License No. 0001-187028 of Kelli Bell Garnes, R.N., is hereby REINSTATED upon proof of entry into the HPMP and contingent upon continued compliance with the terms and conditions of the HPMP for the period specified by the HPMP.
2. Ms. Garnes shall provide the Board with verification that she has completed a Board-approved R.N. nursing refresher course prior to resuming the practice of professional nursing.
3. This Order shall be applicable to Ms. Garnes' multistate licensure privilege, if any, to practice professional nursing. For the duration of this Order, Ms. Garnes shall not work outside the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board

of Nursing and the Board of Nursing in the party state where Ms. Garnes wishes to work. Any request for out of state employment shall be directed, in writing, to the Executive Director of the Board.

4. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Garnes, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Garnes shall be noticed to appear before the Board at such time as the Board is notified that:

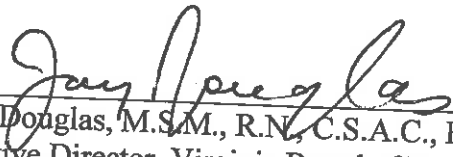
- a. Ms. Garnes has failed to make application to the HPMP;
- b. Ms. Garnes is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
- c. There is a pending investigation or unresolved allegation against Ms. Garnes involving a violation of law or regulation or any term or condition of this Order; or
- d. Ms. Garnes has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Garnes' participation in and compliance with the HPMP, the Board, at its discretion, may waive Ms. Garnes' appearance before the Board and conduct an administrative review of this matter.

5. Ms. Garnes shall maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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 on request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Garnes may, not later than 5:00 p.m., on **March 28, 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 COMMITTEE:



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

ENTERED: February 23rd, 2016

This Order shall become final on **March 28, 2016**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 

Virginia Board of Nursing