

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE:           KELLIE BELL GARNES, R.N.**  
**A.K.A. Kellie Cook Bell**  
**License Number:   0001-187028**  
**Case Number:       178101**

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**ORDER**

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**JURISDICTION AND PROCEDURAL HISTORY**

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on November 13, 2017, in Henrico County, Virginia, to inquire into evidence that Kellie Bell Garnes, R.N., may have violated certain laws governing the practice of nursing in the Commonwealth of Virginia and certain terms imposed on her by Order of the Board entered on February 23, 2016.

Kellie Bell Garnes, R.N., appeared at this proceeding and was not represented by legal counsel.

**NOTICE**

By letter dated October 23, 2017, the Board sent a Notice of Formal Hearing (“Notice”) to Ms. Garnes notifying her that a formal administrative hearing would be held on November 13, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

**FINDINGS OF FACT**

1. On August 21, 2003, the Board issued License Number 0001-187028 to Kellie Bell Garnes, R.N. to practice professional nursing in the Commonwealth of Virginia. Said license is scheduled to expire on July 31, 2018. Her primary state of residence is Virginia.

2. Said license was indefinitely suspended by Order of the Board on August 14, 2008 based upon the following findings:

a. During the course of her employment with Pediatric Associates of Charlottesville, in October and November of 2007, Ms. Garnes injected cocaine while on duty.

b. During the course of her employment with UVA Health South, Charlottesville, Virginia, in April and May of 2006, Ms. Garnes failed to pass medications as scheduled and spent considerable time away from her floor.

c. During the course of her employment with Interim Health Care, Staunton, Virginia in September 2007, Ms. Garnes failed to wash her hands before or after suctioning a client, failed to clean the client's peg site tube, or change the client's diaper as frequently as needed. Ms. Garnes also documented providing care she had not in fact provided.

3. By Order of the Board entered on February 23, 2016 ("Board's Order"), Ms. Garnes' professional nursing license was reinstated contingent upon her entry into and compliance with the Health Practitioners' Monitoring Program ("HPMP").

4. On December 8, 2016, Ms. Garnes was dismissed from the HPMP following her written resignation from the program.

5. Ms. Garnes testified that she does not believe she needs therapy and does not need more treatment. She told the Board that she has been drug-free for 10 years, and that the therapy HPMP told her to undergo caused her emotional turmoil. Ms. Garnes stated that she last used alcohol February 28, 2016, the night before her HPMP orientation.

6. At the hearing, Ms. Garnes told the Board that she was aware that resigning from the HPMP, which resulted in her dismissal, would put her in violation of the Board's Order. She further told the Board that if given the opportunity, she would make the same decision to leave the HPMP.

7. Ms. Garnes testified that she believes no one is ever going to hire her to practice as a nurse again, and that she wants to become a veterinary technician. She told the Board that her desire is to not be attached to a suspended license.

### CONCLUSION OF LAW

Finding of Fact No. 4 constitutes a violation of Virginia Code § 54.1-3007(6) and Term No. 1 of the Board's Order.

### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. Kellie Bell Garnes, R.N., is REPRIMANDED.
2. The license issued to Kellie Bell Garnes, R.N., to practice professional nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED for a period of not less than two years from the date of entry of this Order.
3. The license of Ms. Garnes will be recorded as SUSPENDED.
4. This suspension applies to any multistate privilege to practice professional nursing.
5. Should Ms. Garnes, seek reinstatement of her license, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Ms. Garnes to demonstrate that she is safe and competent to return to the practice of professional nursing. Ms. Garnes shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, 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.

FOR THE BOARD



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

ENTERED AND MAILED ON:

December 8<sup>th</sup>, 2017

**NOTICE OF RIGHT TO APPEAL**

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy

By drahem  
Virginia Board Of Nursing