

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: KIMBERLY SHROADES, R.N.
 License No.: 0001-178896**

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 November 10, 2015 in Henrico County, Virginia. Ms. Shroades was not present nor was she represented by legal counsel. Allison Gregory, M.S., R.N., F.N.P.-B.C., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 27, 2016, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Shroades 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. Kimberly Shroades, R.N., was issued License No. 0001-178896 to practice professional nursing in Virginia on June 12, 2002. Said license is set to expire on December 31, 2016. Ms. Shroades' primary state of residence is Virginia.

2. By letter dated October 13, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Shroades notifying her that an informal conference would be held on November 10, 2015. The Notice was sent by certified and first class mail to 2047 Meadowbrook Road, Roanoke, Virginia, 24017, the address of record on file with the Board of Nursing. The Notice sent by certified mail was delivered on October 31, 2015. The Notice sent by first class mail was not returned to

the Board office. Ms. Shroades informed Board staff on October 21, 2015, that she would be attending the informal conference. On November 4, 2015, Ms. Shroades submitted additional information to the Board for consideration by the Agency Subordinate. Ms. Shroades called Board staff on November 10, 2015, and stated that she would not be attending the informal conference. The Agency Subordinate concluded that adequate notice was provided to Ms. Shroades and the informal conference proceeded in her absence.

3. On February 2, 2015, Ms. Shroades was voluntarily admitted to Carilion Clinic St. Albans Hospital, Christiansburg, Virginia, for psychiatric treatment. By her own admission, she had stopped taking her medications without physician approval, and she was experiencing suicidal ideations and having difficulty distinguishing between dreams and reality. During Ms. Shroades' treatment, she reported that she had been unable to work at Roanoke Memorial Hospital because of her depression and her physical health concerns.

4. On February 25, 2015, following Ms. Shroades' release from Carilion Clinic St. Albans Hospital, she was admitted to Carilion Rehabilitation Center, Roanoke, Virginia, and began receiving ECT treatments for depression.

5. On April 14, 2015, while receiving treatment at Jefferson Psychiatric Behavioral Medicine, Roanoke, Virginia, post ECT-treatments, Ms. Shroades reported that she was having problems with her memory and concentration and with depression. Ms. Shroades' physician recommended that she not return to work until at least May 17, 2015.

6. On November 4, 2015, Ms. Shroades submitted a letter from her physician at Carilion Clinic, Psychiatry and Behavior Medicine, and a letter from her physician at Carilion Clinic, Family Medicine. As of the end of October 2015, both physicians indicated that Ms. Shroades was compliant with treatment and fully capable of performing the duties required of a nurse.

7. On November 10, 2015, Ms. Shroades called the Board office and stated that she was going to come to the informal conference but she had gotten her hearing dates mixed up.

8. Ms. Shroades reported being employed in good standing as an operating room nurse at Carilion Regional Memorial Hospital for the past 13 years.

CONCLUSIONS OF LAW

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

ORDER

WHEREFORE, it is hereby ORDERED that Kimberly Shroades, R.N., shall be placed on PROBATION for a period of one year 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 Ms. Shroades has completed one year of actual nursing practice in employment as a professional nurse (“practice employment”). The license of Ms. Shroades shall be reinstated without restriction at the completion of the probationary period without an administrative hearing 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 with the Administrative Process Act, §2.2-4000 et seq. and §54.1-2400(9) et. seq. of the Code.

2. Performance evaluations shall be provided to the Board, at the direction of Ms. Shroades, by all practice employer(s), using the forms provided by Compliance and available on the Board’s website.

3. Ms. Shroades shall continue mental health treatment with her health care provider(s) and comply with any recommendations of her treating providers until discharged. Written progress reports shall be provided to the Board, at the direction of Ms. Shroades, by all mental health treatment

providers until she is discharged from treatment. Ms. Shroades shall direct the mental health treatment providers to notify the Board if she withdraws from treatment before being officially discharged.

4. Written reports are required by the Order and, unless otherwise specified, shall be sent to Compliance at the Board offices with the first report(s) 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.

5. Ms. Shroades shall inform the Board in writing within ten days of the date any practice employment begins, changes, is interrupted, or ends. Additionally, Ms. Shroades shall provide a contact name, address and phone number for each practice employer to the Board.

6. Ms. Shroades shall inform all current and future practice employers that the Board has placed her on probation and she shall provide each practice employer with a complete copy of this Order. If Ms. Shroades is employed through a staffing agency, she shall inform her supervisor at each facility where assigned that she is on probation.

7. Ms. Shroades 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 consultants designated by the Board, if applicable.

8. Ms. Shroades 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. Shroades has current practice employment or not.

9. Ms. Shroades shall return all copies of her license to practice professional nursing 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 nursing. Upon receipt, the Board shall issue a replacement professional nurse license marked “Valid in Virginia Only; Probation with Terms.”

10. Ms. Shroades 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.

11. This Order is applicable to Ms. Shroades’ multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Shroades shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the 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.


12. Any violation of the stated terms and conditions contained in this Order, failure to comply with all terms of this Order within five years of the date of entry of the Order, or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall be reason for suspending or revoking the license of Ms. Shroades, and an administrative hearing may be held to determine whether her license shall be suspended or revoked.

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.

Since Ms. Shroades failed to appear at the informal conference, this Order shall be considered final. Ms. Shroades has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Shroades has thirty (30) days from the date

of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

FOR THE BOARD


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

Entered: February 16, 2016

Certified True Copy

By 
Virginia Board of Nursing