

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       KATHERINE MAXWELL, R.N.  
              License No.: 0001-129473**

**NOTICE OF HEARING**

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Katherine Maxwell, R.N., who holds License No. 0001-129473 to practice professional nursing in Virginia, which expired on October 31, 2015, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on January 27, 2016, at 1:00 p.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Ms. Maxwell will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Maxwell has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. Maxwell desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to inquire into evidence that Ms. Maxwell may have violated certain laws and regulations governing nursing practice in Virginia, as more fully set forth in the Statement of Particulars below.

**STATEMENT OF PARTICULARS**

The Board alleges that:

1. Katherine Maxwell, R.N., may have violated § 54.1-3007(2), (5), (6) and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing in that during her overnight shift between November 12, 2014, and November 13, 2014, while employed with Augusta Nursing and Rehabilitation Center, Fishersville, Virginia, Ms. Maxwell diverted oxycodone HCL (C-II) and hydromorphone HCL (C-II) for her own personal and unauthorized use, as evidenced by the following:
  - a. Ms. Maxwell documented that she administered oxycodone HCL to Resident A, at 2245, 0245 and 0645. Resident A, who was alert and oriented, denied that he requested or received the medication. On or about November 13, 2014, at 0800, a urine drug screen was administered to Resident A, which was negative for oxycodone.
  - b. Ms. Maxwell documented that she administered hydromorphone HCL to Resident B, at 2300, 0300 and 0700. Resident B, who was alert and oriented, denied that he requested or received the medication. On or about November 13, 2014, at 0800, a urine drug screen was administered to Resident B, which was negative for hydromorphone.
  - c. Ms. Maxwell documented that she administered oxycodone HCL to Resident C, at 2245 and 0400. Resident C, who was alert and oriented, denied that he requested or received the medication. On or about November 13, 2014, at 0800, a urine drug screen was administered to Resident C, which was negative for oxycodone.

Please see Attachment I for the names of the patients referred to above.

FOR THE BOARD

*for* *Blair Mitchell-Lynch*  
Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director for the  
Board of Nursing

ENTERED: *December 30, 2015*