

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

KATHERINE MAXWELL, R.N.

CONSENT ORDER

The Virginia Board of Nursing (“Board”) and Katherine Maxwell, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Maxwell’s license to practice professional nursing.

FINDINGS OF FACT

1. Katherine Maxwell, R.N., was issued License No. 0001-129473 to practice professional nursing by the Virginia Board of Nursing on August 28, 1992. Said license is set to expire on October 31, 2007.
2. During the course of her employment at Augusta Medical Center, Fishersville, Virginia (“AMC”), Ms. Maxwell submitted to drug screens and tested positive for marijuana on December, 20, 2006, December 28, 2006, and January 9, 2007. Ms. Maxwell returned to work at AMC on January 24, 2007, after submitting a negative drug screen.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(2) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Board of Nursing Regulations.

CONSENT

Katherine Maxwell, R.N., by affixing her signature hereon, agrees to the following:

1. Ms. Maxwell has been advised to seek advice of counsel prior to signing this document;

2. Ms. Maxwell 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. Ms. Maxwell 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. Ms. Maxwell waives all such right to an informal conference;

5. Ms. Maxwell admits to the Findings of Fact contained herein and waives her right to contest such Findings of Fact in any subsequent proceeding before the Board;

6. Ms. Maxwell 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. Katherine Maxwell, R.N., is hereby REPRIMANDED.

2. Ms. Maxwell 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 upon request.

FOR THE BOARD

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

ENTERED: July 19th, 2007

SEEN AND AGREED TO:

Katherine Maxwell R.N.
Katherine Maxwell, R.N.



349710

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

Subscribed and sworn to before me, a Notary Public, this 13th day of July, 2007.

My commission expires 11/30/2008.

Melissa D. Weng
NOTARY PUBLIC

Certified True Copy

By DZ 7/20/07
Virginia Board of Nursing