

admission, Ms. Supplee consumed benzodiazepines and sedatives, including Ativan and Ambien (zolpidem, Schedule IV) at bedtime.

- b. Ms. Supplee's admission diagnoses were opioid dependence, opioid withdrawal and sedative dependence.
- c. On January 1, 2004 and January 22, 2004, during the course of her treatment at Williamsburg Place, Ms. Supplee submitted to urine drug screens that yielded positive results for barbiturates and phenobarbital.
- d. On or about April 14, 2004, Ms. Supplee was administratively discharged from the treatment program for refusing to work on a continuing plan of treatment to satisfy the Health Practitioners' Intervention Program ("HPIP") and to meet her needs. Upon discharge, the following additional diagnoses were made: Anxiety Disorder, NOS; ADHD-combined type and Personality Disorder, NOS.

4. On or about January 14, 2004, Ms. Supplee entered into a Participation Contract with the HPIP, pursuant to Chapter 25.1 of Title 54.1 of the Code and 18 VAC 76-10-10, et seq., of the Regulations Governing the HPIP. This was done with the understanding that the program is to assist those persons who have an impairment, defined as "a physical or mental disability, including, but not limited to substance abuse, that substantially alters the ability of a practitioner to practice his profession with safety to his patients and the public." On or about May 10, 2004, Ms. Supplee entered into a Recovery Monitoring Contract.

5. Ms. Supplee's HPIP case manager appeared on her behalf at the informal conference, and reported to the Committee that Ms. Supplee is progressing well with her recovery, and that the HPIP has cleared Ms. Supplee to resume employment in a non-acute care nursing position.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS that NO ACTION be taken against Kelly Supplee, R.N., who holds License No. 0001-175854 to practice professional nursing in the Commonwealth of Virginia; contingent upon the following terms and conditions.

1. Ms. Supplee shall continue to comply with all terms and conditions of the Recovery Monitoring Contract ("Contract") with the HPIP for the period specified in the Contract.
2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Supplee, and an administrative proceeding shall be held to decide whether her license shall be revoked. Ms. Supplee shall be noticed to appear before a Board at such time as the Board is notified that:
 - a) Ms. Supplee is not in compliance with the terms and conditions of the HPIP, or has been terminated from participation in the HPIP, or
 - b) There is a pending investigation or unresolved allegations against Ms. Supplee involving a violation of law, regulation or any term or condition of probation or this order, or
 - c) Ms. Supplee has successfully completed the above-referenced period of participation in the HPIP.

The Board expects Ms. Supplee to maintain a course of conduct in her capacity as a professional nurse commensurate with the requirements of Title 54.1, Chapter 30, of the Code of Virginia (1950), as amended, and the Board of Nursing Regulations.

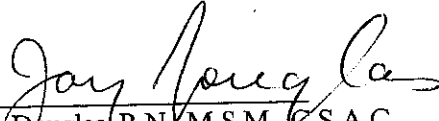
Pursuant to Sections 2.2-4023 and 54.1-2400.2 of the Code of Virginia (1950), as amended, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying on request.

This order shall be applicable to Ms. Supplee's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. It is further ordered that for the duration of this order, Ms. Supplee may not work outside of 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 the respondent wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

If Ms. Supplee does not consent to the Committee's decision and desires a hearing before the Board or a panel thereof, she shall notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of

Nursing, in writing at 6603 West Broad Street, Fifth Floor, Richmond, Virginia 23230-1712 within thirty-three (33) days from the date of entry of this Order. This Order shall become final upon the expiration of the thirty-three day period unless a request for a formal hearing is received within such time. Upon receiving timely request for a hearing, the Board or a panel thereof shall then proceed with a hearing as provided in § 2.2-4020 and § 2.2-4021 of the Code of Virginia (1950), as amended.

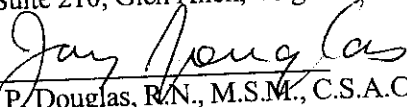
FOR THE BOARD


Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director for the
Board of Nursing

ENTERED: March 18th, 2005

CERTIFICATE OF SERVICE

I hereby certify that a certified true copy of the foregoing Order was mailed on this day to Kelly Supplee, R.N., at P.O. Box 5443, Williamsburg, Virginia 23188, and Michael L. Goodman, Esq., at Goodman, Allen & Filetti, PLLC, 4501 Highwoods Parkway, Suite 210, Glen Allen, Virginia 23060.


Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director for the
Board of Nursing

March 18th 2005
Date