



COMMONWEALTH of VIRGINIA

Robert A. Nebiker
Director

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Virginia Board of Nursing
Jay P. Douglas, RN, MSM, CSAC
Executive Director

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November 12, 2004

Kelly E. Supplee, R.N.
107 Oak Ridge Court
Williamsburg, VA 23188

CERTIFIED MAIL
7160 3901 9848 3161 6139

RE: License No.: 0001-175854
Expired 9/30/2004

Dear Ms. Supplee:

This is official notification that an Informal Conference will be held, pursuant to § 2.2-4019, § 2.2-4021 and § 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), on **December 2, 2004, at 9:00 a.m.**, in the offices of the Department of Health Professions, 6603 West Broad Street, Fifth Floor, Richmond, Virginia. You may be represented by an attorney at the Informal Conference.

The Special Conference Committee ("Committee"), which is comprised of two or three members of the Virginia Board of Nursing, will inquire into allegations that you may have violated certain laws and regulations governing the practice of nursing in Virginia. Specifically:

1. You may have violated § 54.1-3007(2), (6) and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations of the Board of Nursing, in that, during the course of your employment with Sentara Home Health & Hospice, Williamsburg, Virginia, from approximately January 2003 through December 2003, by your own admission, you obtained prescription drugs for your personal and unauthorized use. By your own admission, you accomplished this diversion by taking whatever drugs were to be wasted, to include Ativan (lorazepam, Schedule IV) and opiates, after a hospice patient had died.
2. You may have violated § 54.1-3007(6) of the Code, in that, your treatment at Williamsburg Place, Williamsburg, Virginia, revealed issues regarding substance abuse and mental health. Specifically:
 - a. You admitted yourself into Williamsburg Place on or about December 29, 2003. You presented with a seventeen (17) month history of opiate use. Over time, your use of methadone had

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increased to ten (10) to fifteen (15) tablets per day until a few days prior to admission to Williamsburg Place. Additionally, over the six months prior to your admission, you consumed benzodiazepines and sedatives, including Ativan and Ambien (zolpidem, Schedule IV) at bedtime.

- b. Your admission diagnoses were opioid dependence, opioid withdrawal and sedative dependence.
- c. On January 1, 2004 and January 22, 2004, during the course of your treatment at Williamsburg Place, you submitted to urine drug screens that yielded positive results for barbiturates and phenobarbital.
- d. On or about April 14, 2004, you were 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 your needs. Upon discharge the following additional diagnoses were made: Anxiety Disorder, NOS; ADHD-combined type and Personality Disorder, NOS.

3. On or about January 14, 2004, you 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, you entered into a Recovery Monitoring Contract.

After the conference, the Committee is authorized to take the following actions:

1. If the Committee finds that there is insufficient evidence to warrant further action or that the charges are without foundation, the Committee shall notify you by mail that your record has been cleared of any charge which might affect your right to practice nursing in the Commonwealth;
2. The Committee may place you on probation with such terms as it may deem appropriate;
3. The Committee may reprimand you;
4. The Committee may impose a monetary penalty pursuant to § 54.1-2401 of the Code; or
5. The Committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing. If the Committee is of the opinion that a suspension or revocation of your license may be justified, the Committee may offer you a consent order in lieu of a formal hearing.

If you fail to appear at the informal conference, the Committee will proceed to hear the case in your absence, and may take any of the actions outlined above.

At least ten (10) days prior to the scheduled date of the conference, please inform this office of your

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telephone number and whether you intend to appear at the conference. This can be done by calling our offices at (804) 662-9950 or by sending us a letter at the address listed above.

You have the right to information that the Board will rely upon in making a decision. Therefore, I have enclosed a copy of the documents that will be distributed to the members of the Committee. The Committee, when discussing the allegations with you and deliberating upon your case, will consider these documents. These documents are enclosed only with the original notice sent by certified mail, and must be claimed at the post office. Please bring these documents with you.

If you have any additional documents to be presented to the Committee, please bring five (5) copies of each document with you.

Also, enclosed are copies of the relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws and regulations relating to the practice of nursing in Virginia that are cited in this notice.

Sincerely,



Susan Bell Rosen, R.N., F.N.P., J.D.
Deputy Executive Director, Discipline

SBR/gk/klb

Enclosures

cc: Robert A. Nebiker, Director, Department of Health Professions
James Banning, Director, Administrative Proceedings Division
Special Conference Committee Members
Grant Kronenberg, Senior Adjudication Analyst
Lisa Thomas, R.N., Senior Investigator (94648)
Donna Whitney, Intervention Program Manager
Michael L. Goodman, Esquire [w/enclosures]