

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: KELLY SUPPLEE, R.N.
 License No.: 0001-175854**

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 September 23, 2015, in Henrico County, Virginia. Kelly Supplee, R.N., 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. Supplee 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. Kelly Supplee, R.N., was issued License No. 0001-175854 to practice professional nursing in Virginia on September 20, 2001. Said license was suspended by Order of the Board entered November 16, 2005, after resigning from HPIP (currently HPMP) in violation of the Board's March 18, 2005 Order requiring her participation. By Order of the Board entered April 19, 2012 ("Board's Order"), Ms. Supplee's license was reinstated subject to terms and conditions. The license expired on September 30, 2014. Ms. Supplee's primary state of residence is Virginia.

2. By letter dated August 31, 2015, the Board of Nursing sent a Notice of Informal

Conference (“Notice”) to Ms. Supplee notifying her that an informal conference would be held on September 23, 2015. The Notice was sent by certified and first class mail to 107 Oak Ridge Court, Williamsburg, Virginia 23188, the address of record on file with the Board of Nursing. According to the United States Postal Service website, the Notice sent by certified mail was not delivered, but a notice was left on September 1, 2015. As of September 23, 2015, the Notice sent by first class mail had not been returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Supplee and the informal conference proceeded in her absence.

3. Term No. 1 of the Board’s Order entered April 19, 2012, required Ms. Supplee to comply with terms and conditions of the Health Practitioners’ Monitoring Program (“HPMP”) for the period of time specified by the HPMP. On September 19, 2014, Ms. Supplee was dismissed from the HPMP for failure to complete the recommended treatment, missed calls to the drug screening test line, and her continued use of tramadol (C-IV).

4. On December 9, 2014, during her interview with the investigator for the Department of Health Professions, Ms. Supplee stated that she resigned from the HPMP because she was going through a difficult time. She stated that her new date of sobriety was May 1, 2014, when she took one of her dog’s tramadol tablets.

5. Ms. Supplee stated that she received a call from her HPMP case manager advising that she had failed a drug screen on August 25, 2014, by testing positive for tramadol. She then stated to the investigator that the last time she used tramadol was on August 25, 2014.

6. Ms. Supplee’s HPMP case manager documented that Ms. Supplee was recommended to enter residential treatment, but Ms. Supplee went on an unapproved ten-day trip to Alaska instead, which resulted in several missed calls to the drug screening telephone line.

7. On September 1, 2014, Ms. Supplee left a voicemail message for her HPMP case manager advising that she was retiring from nursing and would not be participating in the program. On September 2, 2014, the HPMP case manager received Ms. Supplee's letter of resignation.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(6) of the Code and Term No. 1 of the Board's Order entered April 19, 2012.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

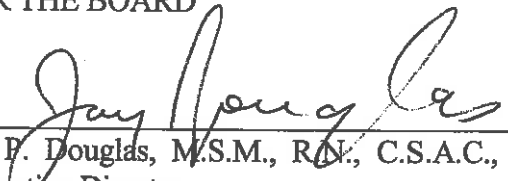
1. The right of Kelly Supplee, R.N., to renew License No. 0001-175854 to practice professional nursing in the Commonwealth of Virginia is INDEFINITELY SUSPENDED for the period of not less than two years.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Supplee shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Supplee shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.
4. This suspension applies to any multistate privilege to practice professional nursing.
5. Ms. Supplee is hereby REPRIMANDED.

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. Supplee failed to appear at the informal conference, this Order shall be considered

final. Ms. Supplee 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. Supplee has 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 days are added to that period.

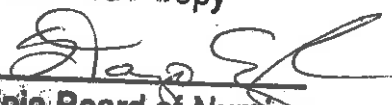
FOR THE BOARD



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

Entered: February 11th, 2016

Certified True Copy

By 

Virginia Board of Nursing