

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: KIMBERLY JEFFERSON, L.P.N.
License No.: 0002-028357

CONSENT ORDER

Pursuant to §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), an informal conference was held before a Special Conference Committee (“Committee”) of the Board of Nursing (“Board”) on October 19, 2015, in Henrico County, Virginia, to inquire into evidence that Kimberly Jefferson, L.P.N., may have violated certain laws and regulations governing the practice of nursing in Virginia. Ms. Jefferson was present and was not represented by counsel.

Upon consideration of the evidence presented, the Committee adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Kimberly Jefferson, L.P.N., was issued License No. 0002-028357 to practice practical nursing by the Virginia Board of Nursing on May 19, 1980. Said license is set to expire on September 30, 2016. Ms. Jefferson’s primary state of residence is Virginia.
2. By letter dated September 24, 2015, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Jefferson notifying her that an informal conference would be held on October 19, 2015. The Notice was sent by certified and first class mail to 21 Laguna Road, Palmyra, Virginia, 22963, the address of record on file with the Board of Nursing. The Notice was also sent to 67 Ponderosa Lane, Palmyra, Virginia, 22963, a secondary address.
3. During the course of her employment with The Laurels of Charlottesville, Charlottesville, Virginia, in January 2015, by her own admission, Ms. Jefferson kept residents’ medication that had been

tramadol (C-IV), that had been discontinued in her personal backpack without authorization and used it to administer to other residents. Ms. Jefferson stated at the informal conference that she was not aware at the time that Tramadol was a controlled medication.

4. Ms. Jefferson stated at the informal conference that she took the medications home with her in her car on two different occasions.

5. Ms. Jefferson's employment with the Laurels was terminated February 2, 2015, after 15 months of employment.

6. Ms. Jefferson stated that she engaged in this inappropriate behavior because of difficulties in dealing with the facility pharmacy, and because she believed that other staff members were also engaging in the practice. When asked by the Committee why this practice was contrary to the standards of nursing practice, Ms. Jefferson had difficulty providing a response. Further, she could not articulate the proper procedure for storing or wasting medications that had belonged to patients who were deceased or had been discharged from the facility.

7. Ms. Jefferson stated that she had been employed at Charlottesville Health & Rehab Center, Charlottesville, Virginia, from April 2015 through October 2015. She stated that she resigned in lieu of termination during an investigation into a missing card of narcotics under her control.

8. Ms. Jefferson stated at the informal conference that she was not currently working and had no immediate plans to return to nursing due to health issues.

CONCLUSION OF LAW

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5), (8) of the Code and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing.

CONSENT

Kimberly Jefferson, by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She 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. She acknowledges that she has the following rights, among others: the right to a formal fact finding hearing 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. She waives all such right to a formal hearing;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice practical nursing in Virginia.

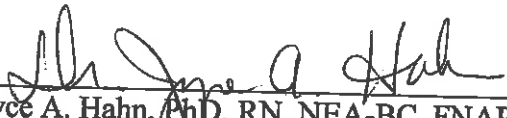
ORDER

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. License No. 0002-028357 of Kimberly Jefferson, L.P.N., is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Jefferson 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 practical nursing. Ms. Jefferson 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 practical nursing.

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



Joyce A. Hahn, PhD, RN, NEA-BC, FNAP
President, Virginia Board of Nursing

ENTERED: 1/29/16

SEEN AND AGREED TO:



Kimberly Jefferson, L.P.N.



Terry Lee Brown
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #362153
My Commission Expires
April 30, 2017

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

Subscribed and sworn to before me, Terry Lee Brown; a Notary Public, this 20 day of NOV, 2015.

My commission expires April 30 2017

Registration Number 362153



NOTARY PUBLIC

Certified True Copy

By D. Swales

Virginia Board of Nursing