

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: KELLY PHILLIPS, R.N.
 License No.: 0001-225811**

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on October 5, 2015, in Henrico County, Virginia, to inquire into evidence that Kelly Phillips, R.N., may have violated certain laws and regulations governing nursing practice in Virginia. Ms. Phillips was present and was not represented by counsel.

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

FINDINGS OF FACT

1. Kelly Phillips, R.N., was issued License No. 0001-225811 to practice professional nursing in the Commonwealth of Virginia on July 12, 2010. Said license expires on July 31, 2017. Ms. Phillips’ primary state of residence is Virginia.
2. By letter dated September 10, 2015, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Phillips notifying her that an informal conference would be held on October 5, 2015. The Notice was sent by certified and first class mail to 902 East Second Street, Richlands, Virginia 24641, the address of record on file with the Board of Nursing. The Notice was also sent to 906 East Second Street, Richlands, Virginia 24641, a secondary address.

3. Between October 2014, and November 2014, during the course of her employment with Keen Mountain Correctional Center, Oakwood, Virginia, Ms. Phillips entered into a non-therapeutic personal relationship with Patient A. She told the patient that she loved him and sent him cards and letters.

4. Ms. Phillips stated to the Committee that she developed feelings for Patient A, and decided that she would resign. On December 4, 2014, Ms. Phillips resigned her position at Keen Mountain Correctional Center.

CONCLUSIONS OF LAW

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

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. Kelly Phillips, R.N., is hereby REPRIMANDED.
2. Ms. Phillips shall provide the Board with verification that she has completed the following NCSBN courses: *Professional Boundaries in Nursing; Ethics of Nursing Practice; and Professional Accountability & Legal Liability for Nurses*, within 60 days of the date this Order is entered. These courses shall not be credited toward the continued competency requirements for the next renewal of her license.
3. Ms. Phillips 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.
4. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. Phillips and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

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 on request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Phillips may, not later than 5:00 p.m., on November 30, 2015, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:

for *Leonia Mitchell-Lundy*
Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director, Virginia Board of Nursing

ENTERED: *October 26, 2015*

This Order shall become final on November 30, 2015; unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By *D. Bolen*
Virginia Board of Nursing