


Certified True Copy

By 
Virginia Board of Nursing



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions

Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367-4400
FAX (804) 527-4475

October 1, 2015

Kimberly Dawn Wilson
112 Copperfield Lane
Winchester, VA 22602

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL

RE: License No.: 0001-167915

DATE 10/1/15

Dear Ms. Wilson:

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your license to practice nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered October 1, 2015. You are hereby advised that, pursuant to Section 54.1-2409.1 of the Code, any person who practices a profession or occupation after having their license or certificate to do so suspended shall be guilty of a felony. Please return your license to Jay P. Douglas, Executive Director of the Virginia Board of Nursing, at the above address, immediately upon receipt of this letter.

Section 54.1-2409 of the Code further provides that you may apply to the Board of Nursing ("Board") for reinstatement of your license, and shall be entitled to a hearing not later than the next regular meeting of the Board after the expiration of sixty days from the receipt of such reinstatement application. You have the following rights, among others: to be represented by legal counsel, to have witnesses subpoenaed on your behalf, to present documentary evidence and to cross-examine adverse witnesses. The reinstatement of your license shall require the affirmative vote of three-fourths of the members present of the Board of Nursing.

Should you wish to petition the Board of Nursing for reinstatement of your license, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4599.

Sincerely,



David E. Brown, D.C., Director
Department of Health Professions

RECEIVED

OCT 02 2015

VA BOARD OF NURSING

Enclosures
Case # 169747

VIRGINIA

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: KIMBERLY DAWN WILSON, R.N.
License No.: 0001-167915

ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that the license of Kimberly Dawn Wilson, R.N., to practice nursing in the State of West Virginia was suspended by a Proposed Consent Agreement entered April 1, 2015, said license has not been reinstated. A certified copy of the Proposed Consent Agreement is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the license of Kimberly Dawn Wilson, R.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Kimberly Dawn Wilson, R.N., will be recorded as suspended and no longer current. Should Ms. Wilson seek reinstatement of her license pursuant to Section 54.1-2409 of the Code, she shall be responsible for any fees that may be required for the reinstatement and renewal of her license prior to issuance of her license to resume practice.

Pursuant to Sections 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 a public record and shall be made available for public inspection and copying upon request.



David E. Brown, D.C., Director
Department of Health Professions

ENTERED: 6/1/15



COMMONWEALTH of VIRGINIA

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Director

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CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Proposed Consent Agreement entered April 1, 2015, regarding Kimberly Dawn Wilson, R.N., is a true copy of the records received from the State of West Virginia, Board of Examiners for Registered Professional Nurses.



David E. Brown, D.C.

Date: 10/1/15

**WEST VIRGINIA STATE BOARD OF EXAMINERS
FOR REGISTERED PROFESSIONAL NURSES**

In the Matter of Kimberly Dawn Wilson

PROPOSED CONSENT AGREEMENT

Comes now Kimberly Dawn Wilson ("Wilson) and the West Virginia Board of Examiners for Registered Professional Nurses ("Board"), for the purpose of determining what disciplinary action should be taken against Wilson by the Board pursuant to West Virginia Code § 30-7-1, et seq. (1993). As reflected in this document, Wilson has admitted to the stipulations set forth herein, and moves the Board consider these stipulations and the terms of the accompanying proposed agreement, and enter an ORDER accepting the proposed terms set forth below.

In offering this proposal for settlement of the complaint against license number 60622 Wilson acknowledges that the Board may reject this proposal, and may hold a hearing to impose revocation or other conditions of a disciplinary nature as it deems appropriate.

STIPULATIONS

1. Wilson holds registered professional nurse license number 60622, issued by the Board on October 22, 2001.
2. On March 10, 2015 Wilson submitted a Reinstatement Application.
3. On the Reinstatement Application Wilson answered, "I have, been working as a registered professional nurse in the State of West Virginia since my license lapsed, or was placed on the inactive list."
5. Wilson's registered professional nursing license was placed on inactive status on December 31, 2002.
6. Board records indicate in April 2013, Wilson began practicing as a registered professional nurse at West Virginia University Healthcare Berkeley Medical Center, Martinsburg, West Virginia.
7. Wilson admits the above stipulations are true.
8. Wilson admits that her conduct violated West Virginia Code § 30-7-11 (g), which states that the licensee may be disciplined if she "(g)[i]s practicing or attempting to practice registered professional nursing without a license or registration."



CONCLUSIONS OF LAW

The West Virginia Board of Examiners for Registered Professional Nurses concludes that the stipulations support the sanction of disciplinary action pursuant to West Virginia Code § 30-7-1 et seq. pertaining to the practice of registered professional nursing.

Specifically, the stipulations support sanctions under the following sections of the West Virginia Code:

- a. West Virginia Code §30-7-11 (g), which states that a licensee may be disciplined upon proof that he or she [i]s practicing or attempting to practice registered professional nursing without a license or registration.

CONSENT

Wilson by fixing her signature hereon, agrees to the following:

1. She acknowledges that she is aware of her option to retain legal counsel and to be represented by legal counsel at a formal hearing before the Board.
2. She intelligently and voluntarily waives her right to a formal hearing before the Board in this matter, if the Board accepts the terms and conditions set forth herein and joins with her in executing this agreement.
3. She acknowledges that she is fully aware that without her consent, no legal action can be taken against her by this Board, except pursuant to West Virginia Code § 30-7-1 et seq. and relevant rules.
4. She submits this proposed agreement freely and voluntarily and not under duress, restraint or compulsion.
5. She agrees that the Board may investigate her background at any time during the term of this agreement.
6. She consents to the entry of the following order affecting her license to practice registered professional nursing in the State of West Virginia.
7. She understands that the Board may accept or reject the facts and terms set forth in this proposed agreement, and may impose revocation or other conditions of a disciplinary nature as are deemed appropriate.

ORDER

On the basis of the foregoing, the Board hereby ORDERS that license number 60622, issued to Wilson, be suspended for the period of one (1) year. Such suspension is hereby stayed contingent upon Wilson complying with the terms set forth below, and license number is placed on probation for a period of one (1) year employment as a registered professional nurse. The computation of such period is to begin on the date on which notice is received in the office of the Board that Wilson employed as a registered professional nurse and shall run only during such time that she is employed as a registered professional nurse on at least a permanent part-time basis (forty hours every two weeks) or full time basis in the State of West Virginia. The Board also ORDERS Wilson pay a fine and administrative costs in the amount of two thousand eight hundred dollars (\$2,800.00).

To receive and maintain a probationary license, regardless of employment status, Wilson shall meet the following conditions:

Terms:

1. Wilson shall not violate the provisions of West Virginia Code § 30-7-1 et seq.
2. Wilson shall not commit any act which would be a crime under West Virginia or federal law. If Wilson is charged by any law enforcement agency with committing any such criminal act, she shall notify the Board in writing of the formal charge(s) against her, and resolution of same.
3. Wilson shall maintain a current and active license in the State of West Virginia. She shall not allow her license to lapse or be placed on an inactive status.
4. Wilson shall not, under any circumstances, misrepresent her licensure status.
5. Wilson shall inform the Board in writing within ten (10) days of the date she assumes the practice of registered professional nursing, or any employment in the health care field, in the State of West Virginia and shall include the name, address, and telephone number of her employer. She shall provide in writing the name of her immediate registered professional nurse

Proposed Consent Agreement
Kimberly Dawn Wilson

supervisor. Wilson shall inform the Board of any interruption in nursing practice or change in employment within ten (10) days of such interruption or change.

6. Wilson shall immediately inform her nursing employer, any prospective nursing employer, and the director of any nursing education program in which she enrolls or teaches, that the Board has placed her license on probation, and shall provide a complete copy of this agreement to her employer(s). The Board may provide her employer(s) with a copy of this agreement and may communicate with her employer(s).

7. Wilson shall, within ten (10) days of employment or continuation of practice, cause her employer or immediate registered professional nurse supervisor, to notify the Board, in writing, of the employer or supervisor's receipt of a copy of this agreement. Wilson shall further cause her employer or supervisor to submit quarterly reports to the Board describing Wilson's job performance, attendance, and attitude.

8. Wilson shall submit documentation of fifteen (15) contact hours of continuing education in ethics during the time her license is on probation in addition to those required by law.

9. Wilson shall report in person for appointment with the Board staff upon request.

10. Wilson shall annually submit to the Board a written personal statement. The statement shall be due at the end of the first year and in each subsequent year during the month in which this agreement is accepted by the Board.

11. Wilson shall execute a release to permit the Board to obtain medical or other health care records, which may be requested at any time while her license is on probation, regarding her physical or mental health and any treatment rendered.

Violation of Terms:

12. Any deviation from these requirements without prior written consent of the Board shall constitute a violation of this Order, and result in immediate suspension of Wilson's probationary license.

Proposed Consent Agreement
Kimberly Dawn Wilson

13. The Board shall immediately notify Wilson via certified mail of the specific nature of the charges, and the suspension of her license.

a. Wilson may request reinstatement of her probationary license through renewal of this agreement, or execution of a new agreement, which may contain different or additional terms. The Board is not bound to comply with this request.

b. If the Board does not accept a renewed or new agreement, Wilson shall be notified in writing. Wilson may request a hearing to seek reinstatement of her probationary license. If Wilson requests a hearing following suspension for violation of this agreement and does not prevail, the cost incurred in holding such hearing shall be borne by Wilson. If Wilson prevails, the cost of such hearing shall be borne by the Board. Cost shall refer only to the expense of employing a court reporter and hearing examiner for the purpose of the hearing, and shall not include any legal or other fees incurred by the Board or Wilson in bringing the matter to hearing.

c. The Board may schedule a hearing on its own initiative for the purpose of allowing the Board opportunity for considering further suspension or revocation of Wilson's license. Said hearing shall be scheduled in accordance with the provisions of West Virginia Code §30-1-8 and §30-7-1 et. seq. The Board shall bear the cost if it should seek a hearing following suspension of Wilson's probationary license for violation of this agreement. Cost shall refer only to the expense of employing a court reporter and hearing examiner for the purpose of the hearing, and shall not include any legal or other fees incurred by Wilson in bringing the matter to hearing.

Petition for Reinstatement:

14. Following the one (1) year probationary period, Wilson may petition to appear before the Board and submit satisfactory evidence that she is presently able to safely engage in the practice of registered professional nursing. Evidence in support of this request shall include:

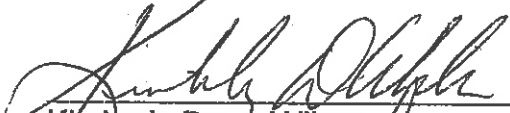
- a. Letter of reference from Wilson's employer, if employed;
- b. Letter from Wilson outlining her future plans; and

Proposed Consent Agreement
Kimberly Dawn Wilson

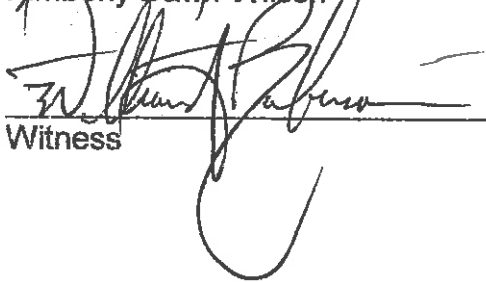
- c. Payment of all fines and administrative fees.

However, the terms of this Order shall remain in effect and subject to yearly review and appropriate revision by the Board until such time as Wilson is fully reinstated by the Board.

WHEREFORE, Wilson hereby requests that the Board accept the stipulations and impose sanctions in accordance with West Virginia Code § 30-7-1 et seq.



Kimberly Dawn Wilson



Witness

3-23-15
Date

03/23/2015
Date

Proposed Consent Agreement
Kimberly Dawn Wilson

Agreed to:

Judy Nystrom

Mrs. Judy Nystrom
Disciplinary Review Committee

3-24-15

Date

Joyce Egnor RN, MSN

Joyce Egnor, RN, MSN
Disciplinary Review Committee

3/24/15

Date

DocuSigned by:

teresa ritche

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Teresa Ritchie, RN, MSN, FNP, DFNP
Disciplinary Review Committee

4/1/2015

Date

Laura S. Rhodes

Laura S. Rhodes, RN, MSN
Executive Director
West Virginia Board of Examiners
for Registered Professional Nurses

4.1.2015

Date

ENTERED: This the 1st day of April, 2015.