

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: KELLI SAXTON, R.N.
 License No.: 0001-213096**

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 4, 2013, in Henrico County, Virginia. Kelli Saxton, R.N., was present and was not represented by legal counsel. Judith Piersall, R.N., B.S.N., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On November 19, 2013, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Saxton 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. Kelli Saxton, R.N., was issued License No. 0001-213096 to practice professional nursing in Virginia on June 20, 2008. The license is scheduled to expire on July 31, 2015. She holds current professional nursing licenses in Massachusetts and the Virgin Islands. She holds expired professional nursing licenses in Florida, Minnesota, and Nevada. Her primary state of residence is Virginia.

2. By letter dated September August 8, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Saxton notifying her that an informal conference would be held on September 4, 2013. The Notice was sent by certified and first class mail to 407 Turnbridge Close,

Virginia Beach, Virginia 23452, the address of record on file with the Board of Nursing.

3. On July 9, 2013, Ms. Saxton ingested alcohol, marijuana, and benzodiazepines.

4. From June 30, 2013, to July 8, 2013, Ms. Saxton was admitted to the Virginia Beach Psychiatric Center, Virginia Beach, Virginia, after attempting suicide by ingesting 60 dosage units of morphine (Schedule II), 30 dosage units of hydromorphone (Schedule II), and 20 dosage units of alprazolam (Schedule IV).

5. On May 19, 2013, Ms. Saxton was admitted to The Pavilion at Williamsburg Place, Williamsburg, Virginia, for depression, with suicidal ideation, after telling a family member that she planned to hurt herself and needed to be committed.

6. In June 2012, Ms. Saxton was admitted to the Virginia Beach Psychiatric Center after consuming three bottles of champagne and many dosage units of Ambien (zolpidem, Schedule IV).

7. Ms. Saxton reported that between 2010 and 2012 she worked as a travel nurse. She also worked at Patient First, Virginia Beach, Virginia, from January 2013 to July 2013. Patient First terminated her employment for absenteeism, and Ms. Saxton stated that she missed work because of the corrective surgery she received during that time period.

8. From January 2012 to July 2013, Ms. Saxton experienced a chronic, painful condition for which she was prescribed narcotics and had multiple corrective surgeries. At the informal conference, Ms. Saxton stated that her chronic condition led to depression. Ms. Saxton stated she no longer suffers from the condition, and she is no longer on narcotic medications.

9. Ms. Saxton expressed a sincere interest in continuing to be a nurse, and she expressed a willingness to enter the Health Practitioners' Monitoring Program ("HPMP"). Ms. Saxton does not have a history of drug diversion, nor does she have any Board history involving drug use.

CONCLUSIONS OF LAW

Findings of Fact Nos. 3-6 constitute a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. The Board shall TAKE NO ACTION contingent on Ms. Saxton's entry into the HPMP within 90 days of the entry of this Order. Thereafter, Ms. Saxton shall comply with the terms and conditions of the HPMP for the period specified by the HPMP.
2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Saxton, and an administrative proceeding shall be held to decide whether her license should be revoked. Ms. Saxton shall be noticed to appear before the Board at such time as the Board is notified that:
 - a. She has failed to make application to the HPMP;
 - b. She is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
 - c. There is a pending investigation or unresolved allegation against her involving a violation of law or regulation or any term or condition of this Order; or
 - d. She has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Ms. Saxton's participation in and compliance with the HPMP, the Board, at its discretion, may waive her appearance before the Board and conduct an administrative review of this matter.
3. This Order is applicable to Ms. Saxton's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Saxton shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where she wishes to work.

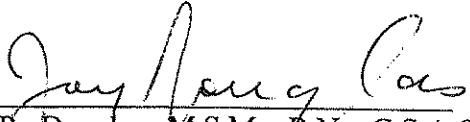
Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

4. Ms. Saxton 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.

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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Saxton may, not later than 5:00 p.m., on January 6, 2013, 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 BOARD:


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

ENTERED: December 13th, 2013

This Order shall become final on January 6, 2013, unless a request for a formal administrative hearing is received as described above.