

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: KRISTIE CHARLES, L.P.N.
License No.: 0002-077041

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on January 28, 2015, in Henrico County, Virginia, to inquire into evidence that Kristie Charles, L.P.N., may have violated certain laws governing professional nursing practice in Virginia and to inquire into evidence that Ms. Charles may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board entered on July 15, 2014. The case was presented by Tammie D. Jones, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Charles was not present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

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

FINDINGS OF FACT

1. Kristie Charles, L.P.N., was issued License No. 0002-077041 to practice as a practical nurse in the Commonwealth of Virginia on October 29, 2007. Said license was indefinitely suspended by the Board on July 15, 2014, with said suspension stayed contingent upon Ms. Charles' compliance with certain terms and conditions. By letter dated October 10, 2014, the stay of suspension was summarily rescinded. Her primary state of residence is Virginia.
2. Based upon the representations of Tammie Jones and Commonwealth's Exhibit #1, the Notice of Formal Hearing and Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in her absence.

3. By Order of the Board entered on July 15, 2014, Ms. Charles' license was indefinitely suspended, with said suspension stayed contingent upon Ms. Charles' continued compliance with the Health Practitioners' Monitoring Program ("HPMP"). The action was based upon findings that Ms. Charles sought and obtained prescriptions for narcotic medications from practitioners in the practice who were covering for her primary care provider, even though she still had active refills for the same medications.

4. Ms. Charles entered a Participation Contract with the HPMP on March 19, 2014, and was referred for a substance abuse and mental health assessment. On August 20, 2014, Ms. Charles was dismissed from the HPMP due to noncompliance, in that she failed to obtain a multidisciplinary assessment at the Farley Center as recommended.

5. Ms. Charles reported that she contacted the local community services board, but they did not offer the type of assessment the HPMP recommended. Ms. Charles also stated that she applied for a loan and was denied and, therefore, did not have the funds to go to the Farley Center.

6. Ms. Charles reported that she was receiving medical treatment for back and hip pain and was prescribed hydrocodone (Schedule II). Ms. Charles also reported that she took her hydrocodone prescription bottles with her to each visit with her primary care provider to verify that she was not taking more medication than prescribed. However, a review of the medical records indicated that in 2014, Ms. Charles brought her prescription bottles to only two out of eleven visits.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 4 constitutes a violation of § 54.1-3007(6) of the Code and Term No. 5 of the Consent Order entered July 15, 2014.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. Kristie Charles, L.P.N., is hereby REPRIMANDED.

2. License No. 0002-077041 issued to Kristie Charles, L.P.N., to practice practical nursing in the Commonwealth of Virginia is hereby CONTINUED on INDEFINITE SUSPENSION.


3. The license of Ms. Charles will be recorded as SUSPENDED. Should Ms. Charles seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license prior to issuance of her license to resume practice.

4. At such time as Ms. Charles shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of practical nursing.

5. This Order shall be applicable to Ms. Charles' multistate licensure privileges, if any, 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 on request.

FOR THE BOARD



Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

February 18th, 2015
ENTERED

Certified True Copy
By 

Virginia Board Of Nursing

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.