

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       LESLIE KAY MARTIN, R.N.  
              License No.: 0001-220113**

**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 March 25, 2015, in Henrico County, Virginia, to inquire into evidence that Leslie Kay Martin, R.N., may have violated certain laws governing professional nursing practice in Virginia. The case was presented by Amanda E. M. Blount, Adjudication Specialist, Administrative Proceedings Division. James Rutkowski, Assistant Attorney General, was present as legal counsel for the Board. Ms. Martin 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. Leslie Kay Martin, R.N., was issued License No. 0001-220113 to practice professional nursing by the Board on July 16, 2009. Said license was summarily suspended by the Board on February 3, 2015. Ms. Martin's primary state of residence is Virginia.
2. Based on the representations of Amanda E. M. Blount, Adjudication Specialist, and Commonwealth's Exhibit #1, the Notice of Formal Hearing and Statement of Particulars, Allegation Summary Worksheet, and Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to Ms. Martin and the hearing proceeded in her absence.
3. Ms. Martin suffers from mental illness and substance abuse, which require medication and treatment, as evidenced by the following:

a. On July 26, 2014, Ms. Martin was admitted for psychiatric treatment and heroin detoxification to the Virginia Beach Psychiatric Center, Virginia Beach, Virginia. She left prior to the recommended date of discharge on July 30, 2014, with diagnoses of major depressive disorder, severe, recurrent, without psychotic features, and opiate dependence, continuous, severe. She subsequently entered intensive outpatient treatment and was discharged on November 13, 2014, due to multiple positive urine drug screens for morphine and oxycodone and noncompliance with program requirements.

b. During the course of her employment as a critical care nurse in the Cardiovascular Telemetry Unit at Riverside Regional Medical Center, Newport News, Virginia, on October 8-9, 2014, during the 7:00 p.m. to 7:00 a.m. shift, Ms. Martin was observed to have glassy eyes and slow, slurred speech. She was also noted to be moving sluggishly and falling asleep several times while on duty. She was subsequently given a urine drug screen, which was positive for opiates and cocaine. Her employment was terminated on October 24, 2014, for violation of the facility's substance abuse policy.

### CONCLUSIONS OF LAW

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

### ORDER

1. License No. 0001-220113 issued to Leslie Kay Martin, R.N., to practice professional nursing in the Commonwealth of Virginia is CONTINUED on INDEFINITE SUSPENSION.
2. The license of Ms. Martin will be recorded as SUSPENDED. Should Ms. Martin 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.
3. This Order shall be applicable to Ms. Martin's multistate licensure privileges, if any, to practice professional nursing.

4. Said suspension shall be STAYED upon proof that Ms. Martin has entered into a contract with the Health Practitioners' Monitoring Program ("HPMP") and upon the condition that she remain compliant with the terms of the HPMP and the following terms and conditions:

a. Ms. Martin shall comply with all terms and conditions for the period specified by the HPMP.

b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Leslie Kay Martin, R.N., and an administrative proceeding shall be held to decide whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:

i. Ms. Martin is not in compliance with the terms and conditions specified by the HPMP, or has been terminated from participation in the HPMP, or

ii. There is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of this Order.


5. Upon receipt of evidence of Ms. Martin's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive Ms. Martin's appearance before the Board, and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

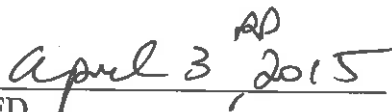
6. This Order shall be applicable to Ms. Martin's multistate licensure privileges, if any, to practice professional nursing. It is further ordered that for the duration of this Order, Ms. Martin may not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where she wishes to work.

7. Ms. Martin 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 §§ 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

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

  
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ENTERED

**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.

Certified True Copy

By   
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Virginia Board Of Nursing