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Virginia Board of Nursing



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VA BD 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

February 2, 2015

Kimberly Ann Austin Daniels
6077 Omega Lane
Manassas, VA 20112

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL

RE: License No.: 0001-215202

DATE 2/2/15

Dear Ms. Daniels:

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 February 2, 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,

Jaime H. Hoyle, Esquire, Chief Deputy Director
Department of Health Professions

Enclosures
Case # 160939

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

**IN RE: KIMBERLY ANN AUSTIN DANIELS, R.N.
License No.: 0001-215202**

ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Jaime H. Hoyle, Esquire, Chief Deputy Director of the Virginia Department of Health Professions, received and acted upon evidence that the license of Kimberly Ann Austin Daniels, R.N., to practice nursing in the State of West Virginia was summarily suspended by an Order of Summary Suspension entered December 15, 2014. A certified copy of the Order of Summary Suspension 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 privilege of Kimberly Ann Austin Daniels, R.N., to renew her license to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Kimberly Ann Austin Daniels, R.N., will be recorded as suspended and no longer current. Should Ms. Daniels 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.



Jaime H. Hoyle, Esquire, Chief Deputy Director
Department of Health Professions

ENTERED: 2/2/2015



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

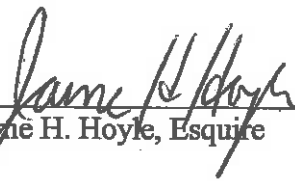
Department of Health Professions

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CERTIFICATION OF DUPLICATE RECORDS

I, Jaime H. Hoyle, Esquire, Chief Deputy Director of the Department of Health Professions, hereby certify that the attached Order of Summary Suspension entered December 15, 2014, regarding Kimberly Ann Austin Daniels, R.N., is a true copy of the records received from the West Virginia Board of Examiners for Registered Professional Nurses.



Jaime H. Hoyle, Esquire

Date: 2/2/2015

**BEFORE THE WEST VIRGINIA BOARD
OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES**

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

v.

License No. 64281

KIMBERLY ANN DANIELS

ORDER OF SUMMARY SUSPENSION

Pursuant to West Virginia Code §§ 30-1-4 and 30-7-4, and West Virginia
Legislative Rules § 19-3-14.4:

If the board finds that public health, safety and welfare requires emergency action and incorporates a finding to that effect into its order, the board shall order summary suspension of a license pending proceedings for revocation of the license or other action. The board shall promptly institute and determine further disciplinary action.

Information supporting this order is as follows:

On December 9, 2014 the Board received a complaint from Sylvia Fields, RN, BSN, Program Manager 1, Chronic Pain Management, Office of Health Facility Licensure and Certification, Charleston, West Virginia. The complaint states, during a licensure survey of Med-Surge Group, Inc., Chronic Pain Center, Beckley, West Virginia from October 13, 2014 through October 23, 2014 the following issues concerning Kimberly Daniels, FNP-BC were brought to the surveyors attention.

1. A review of prescriptions written and signed by Kimberly Daniels, FNP-BC for Norco and Clonazepam revealed the prescriptions were written for a person who could not be confirmed by the clinic as an actual patient. No medical chart for this person was available for review during the survey process;
2. Lab results for urine drug screens were for Tetrahydrocannabinol (THC) were found to be altered, signed and dated by Kimberly Daniels, FNP-BC; and,



3. During the survey, staff reported that Kimberly Daniels, FNP-BC altered the patient lab results, and she does this for her boyfriend and friends.

Therefore, based on the foregoing, the Board finds that public health, safety and welfare are threatened and emergency action is necessary. The Board ORDERS that license number 64281 issued to Daniels is herein SUMMARILY SUSPENDED.

The Board ORDERS Daniels to respond to the above allegations and have a complete mental health and addictions evaluation no more than sixty (60) days before requesting to petition for reinstatement of her license by an approved Licensed Board Certified Psychologist (Psychologist) and a Certified Addictions Counselor (CAC) who has received a copy of Daniels' Board file, indicating Daniels' current mental health status, plan of treatment (if any), progress in treatment (if any) and ability to safely engage in practice as a registered professional nurse. The Board further ORDERS Daniels to cause a copy of all documents resulting from Daniels' evaluation by the Psychologist and CAC be sent directly to the Board office. If any treatment is recommended by the Psychologist and/or CAC Daniels shall begin the treatment immediately.

A determination of further disciplinary action will be made once the Board receives and reviews all required information. Such suspension shall become effective **immediately** upon Daniels receiving notice of the suspension or two days after being mailed from the Board office, whichever occurs first.

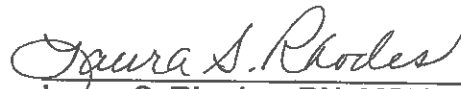
A Reinstatement Application (application) will be considered once the Board receives all required information, which will include the application and appropriate fee.

For your options please review the Board's law found in WV Code § 30-7-1 et seq., the State Administrative Procedures Act found in WV Code § 29A-5-1 et. seq., the Contested Case Hearing Procedure in WV CSR § 19-5-1, and any other applicable laws and rules.

Entered this 15th day of December, 2014.

(Board Seal)

At the Direction of the West Virginia
Board of Examiners for Registered
Professional Nurses



Laura S. Rhodes, RN, MSN
Executive Director