

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: LINDA A. KEEN, R.N.
License No.: 0001-215485

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 23, 2015, in Henrico County, Virginia, to inquire into evidence that Linda A. Keen, R.N. may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board entered on February 6, 2014. The case was presented by Amy E. Weiss, Adjudication Specialist, Administrative Proceedings Division. Charis Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Keen was 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. Linda A. Keen, R.N. was issued License No. 0001-215485 to practice professional nursing in the Commonwealth of Virginia on September 17, 2008. By Order of the Board entered February 6, 2014, Ms. Keen's license was reinstated and then indefinitely suspended. The suspension of Ms. Keen's license was stayed contingent upon her entry into and compliance with the Health Practitioners' Monitoring Program ("HPMP"). The stay of suspension was summarily rescinded on December 5, 2014.
2. Ms. Keen signed a participation contract with the HPMP on November 13, 2013.
3. On October 8, 2014, by her own admission, Ms. Keen began working as a personal care aide in a private residence. HPMP had authorized Ms. Keen to look for prospective employment, and Ms. Keen's prospective employment had been approved by the HPMP with certain terms and conditions which she did

not meet prior to beginning work. Ms. Keen testified that she was concerned that if she did not begin working, she would lose the job offer, and that she needed to make money, so she decided to take the risk of working without approval.

4. As a result of Ms. Keen beginning work before receiving HPMP permission, Ms. Keen was dismissed from the HPMP on October 29, 2014. This dismissal formed the basis for the summary rescission of the stay of suspension on December 5, 2014.

5. In her interview with an investigator from the Department of Health Professions (“DHP”), Ms. Keen stated she was not currently working as a nurse and she was doing better since her dismissal from HPMP.

6. Ms. Keen testified that she is in recovery but cannot afford HPMP and does not want to reenter the program. She stated that she knows she did not follow the HPMP contract, but that it was too restrictive. Although Ms. Keen stated that any of the people in her daily life could testify to her commitment to recovery and sobriety, she did not bring any evidence supporting her in these statements.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 4 constitutes a violation of the Board’s Order entered February 6, 2014.

ORDER

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

1. License No. 0001-215485 issued to Linda A. Keen, R.N. to practice professional nursing in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED for a period of not less than one year.

2. The license of Linda A. Keen will be recorded as SUSPENDED and no longer current. Should Ms. Keen 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.

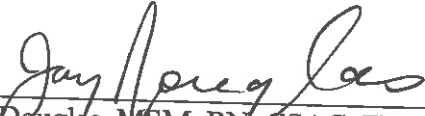
3. At such time as Ms. Keen shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of professional nursing.

4. Ms. Keen is hereby REPRIMANDED.

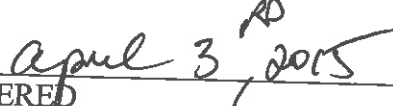
5. This Order shall be applicable to Ms. Keen's multistate licensure privileges, if any, to practice professional nursing.

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



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.