

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: KELLY M. JONES, R.N.
License No.: 0001-196777

AMENDED ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on June 18, 2012, in Henrico County, Virginia, to inquire into evidence that Kelly M. Jones, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia. Ms. Jones was present and was represented by Michele Satterlund, Esquire.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Kelly M. Jones, R.N., was issued License No. 0001-196777 to practice professional nursing in the Commonwealth of Virginia on July 8, 2005. Said license expires on June 30, 2014. Ms. Jones’ primary state of residence is Virginia.

2. By letter dated March 1, 2012, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Jones notifying her that an informal conference would be held on April 10, 2012. The Notice was sent by certified and first class mail to 9520-A Copper Cove Lane, Richmond, Virginia, 23294, the address of record on file with the Board of Nursing. On April 4, 2012, Ms. Jones requested and was granted a continuance, and on April 18, 2012, the Board notified Ms. Jones that the informal conference was rescheduled to June 18, 2012.

3. On May 9, 2011, Ms. Jones behaved in a disorderly manner at Henrico Doctors Hospital, Richmond, Virginia and made false statements about hospital staff regarding the delivery of a baby that she claimed she had been carrying.

4. Ms. Jones stated at the informal conference that she was pregnant for approximately 16 weeks, from September 2010 until a spontaneous abortion in December 2010, although Ms. Jones was unable to provide any corroborating evidence that she was pregnant at that time. Ms. Jones admitted at the informal conference that she sought no prenatal care during the time she stated she was pregnant and sought no medical care upon the termination of the pregnancy. She further admitted that she attended her annual visit at her OB/GYN office shortly after she claimed she became pregnant but did not disclose the pregnancy to the nurse practitioner who treated her.

5. Ms. Jones has been in counseling with a licensed professional counselor since November 2010. She had been seeing the counselor approximately twice per month, although she stated at the informal conference that she had recently begun seeing her counselor once a week in advance of the proceedings before the Board and to more rigorously focus on treatment.

6. Ms. Jones' counselor diagnosed her with major depressive disorder and anxiety disorder NOS with traits of Borderline, Histrionic and Dependent Personality Disorders. Ms. Jones' psychiatrist diagnosed her with an affective disorder and depression NOS and is currently compliant with her medication protocol.

7. Ms. Jones is currently following a treatment plan outlined by her counselor to focus on coping mechanisms to combat her depressive episodes and intense anxiety. This includes maintaining regular contact with her support network.

8. Ms. Jones is currently employed full-time as a professional nurse.

CONCLUSION OF LAW

Findings of Fact No. 3, 4, 6 and 8 constitute a violation of 54.1-3007(6) of the Code.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. Kelly M. Jones, R.N., shall be placed on PROBATION for a period of two years of actual nursing practice and subject to the following terms and conditions:
 - a. The period of probation shall begin on the date that this Order is entered and shall end at such time as Ms. Jones has completed two years of active employment as a professional nurse. The license of Ms. Jones shall be reinstated without restriction at the completion of the probationary period without a hearing unless there is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 2.2-4000 et seq. and § 54.1-2400.9 et seq. of the Code of Virginia (1950), as amended (“Code”).
 - b. Ms. Jones shall inform the Board in writing within ten days of the date she begins nursing practice, or changes employment, or if any interruption in nursing practice occurs. Additionally, Ms. Jones shall provide the name and address of each employer to the Board.
 - c. Ms. Jones shall inform her current nursing employer and each future nursing employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order. If Ms. Jones is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.
 - d. Performance Evaluations shall be provided, at the direction of Ms. Jones, by all nursing employer(s), as provided by the Compliance Division. The first report must be received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends.

e. Ms. Jones shall practice nursing only in a structured /supervised employment setting satisfactory to the Board for the first two years after being placed on probation. This employment setting shall provide on-site supervision by a physician or professional nurse, who works the same shift and works on the same level of the building, and holds an unrestricted license. For all current nursing employment, and before beginning or changing nursing employment during this period, Ms. Jones shall have current and all prospective employers provide a written description of the employment setting to the Board office for approval.

f. Ms. Jones shall not use alcohol or any other mood altering chemical, except as prescribed by a health care practitioner with whom she has a bona fide practitioner/patient relationship and for accepted medicinal or therapeutic purposes. Should she be prescribed any Schedule II-V controlled medication, a written report from the prescribing practitioner shall be provided to the Board within ten days of the date the medication is prescribed.

g. Ms. Jones shall provide all current and future treating practitioners with a complete copy of this Order and shall execute an Authorization for Disclosure of Information form providing for unrestricted communication between the Board and any court-appointed probation or parole officers and any consultants designated by the Board.

h. Ms. Jones shall submit quarterly "Self-Reports" which include a current address, telephone number, and verification of all current employment. These reports shall also include any changes in employment status. The first report must be received in the Board office no later than 60 days from the date this Order is entered. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends.

i. Ms. Jones shall return all copies of her license to practice as a professional nurse to the Board office within ten days of the date of entry of this Order along with a payment of a fee of \$15.00. Upon receipt, the Board shall issue a new license marked "Valid in Virginia Only; Probation with Terms."

j. Ms. Jones shall conduct herself as a professional nurse in compliance with the requirements of Title 54.1, Chapter 30 of the Code and the Board of Nursing Regulations.

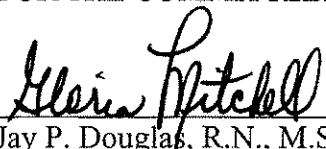
k. Any violation of the stated terms and conditions contained in this Order, or failure to comply with all terms of this Order within five years of the date of entry of the Order, shall be reason for suspending or revoking the license of Ms. Jones and an administrative proceeding may be held to determine whether her license shall be suspended or revoked.

l. This Order is applicable to Ms. Jones' multistate licensure privileges, if any, to practice professional in the Commonwealth of Virginia. For the duration of this Order, Ms. Jones 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.

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.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Jones may, not later than 5:00 p.m., on August 14, 2012, notify Jay P. Douglas, 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 COMMITTEE:

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

ENTERED: August 29, 2012

Certified True Copy

By *d. graham*
Virginia Board of Nursing

This Order shall become final on August 14, 2012 unless a request for a formal administrative hearing is received as described above.