

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: KELLY BAUMAN, R.N.
 License No.: 0001-247187**

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 October 6, 2014, in Henrico County, Virginia, to inquire into evidence that Kelly Bauman, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia. Ms. Bauman was present and was represented by Bryan Block, Esquire.

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

FINDINGS OF FACT

1. Kelly Bauman, R.N., was issued License No. 0001-247187 to practice professional nursing in the Commonwealth of Virginia on August 28, 2013. Said expires on November 30, 2015. Ms. Bauman’s primary state of residence is Pennsylvania.
2. By letter dated July 15, 2014, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Bauman notifying her that an informal conference would be held on August 11, 2014. The Notice was sent by certified and first class mail to 2084 Brentwood Drive, Middletown, Pennsylvania, 17057, the address of record on file with the Board of Nursing. Ms. Bauman requested and was granted a continuance, and the Board notified Ms. Bauman that the informal conference would be held on October 6, 2014.
3. During the course of her employment with AMN Healthcare, while assigned to the University of Virginia Health System, on January 28, 2014, Ms. Bauman appeared impaired at work, and multiple

patients complained of her provision of care, including “push[ing] pain medicine on a patient who did not want it.”

4. During the course of her employment with HealthSouth, Pleasant Gap, Pennsylvania, Ms. Bauman was unable to account for missing medication that she had withdrawn for patients that were not assigned to her and/or were not ordered for the patients. Specifically, she was unable to account for 5 tablets of 10 mg prednisone on December 5, 2013. She was unable to account for 5 tablets of 5 mg prednisone that she withdrew between November 12, 2013, and December 3, 2013.

5. Ms. Bauman denied diverting the medication but gave no explanation as to the disposition of the medication.

6. During the course of her employment with Johns Hopkins Hospital, Baltimore, Maryland, on October 10, 2013, she failed to respond to a patient’s pain complaint, and she failed to properly monitor a patient’s nasogastric feeding tube.

7. Ms. Bauman’s assignment with the University of Virginia Hospital, via a travel nurse contract with AMN Healthcare, was terminated by the hospital. Ms. Bauman’s assignment with Johns Hopkins University Hospital via a travel nurse contract with AMN Healthcare, was terminated by the hospital. Ms. Bauman’s assignment with HealthSouth, via a travel nurse contract with Medical Staffing Network, was terminated.

8. Ms. Bauman is currently employed by Grane Hospice in Pennsylvania. Ms. Bauman stated that her current employer was unaware of the termination of her previous assignments and did not believe she was obligated to make them aware of the terminations. Ms. Bauman stated that the current employer was unaware of the proceedings before the Board.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 3 and 6 constitute violations of § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing (“Regulations”).
2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(5) of the Code.

ORDER

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

1. Kelly Bauman, R.N., is hereby REPRIMANDED.
2. Ms. Bauman shall provide the Board with verification that she has completed the following NCSBN online courses within 60 days of the date this Order is entered: *Professional Accountability and Legal Liability for Nurses*, *Sharpening Critical Thinking Skills for Competent Nursing Practice*, and *Disciplinary Actions: What Every Nurse Should Know*.
3. Ms. Bauman 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.
4. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of nursing in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Ms. Bauman and an administrative proceeding shall be convened to determine whether such license shall be suspended or revoked.

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. Bauman may, not later than 5:00 p.m., on **January 2, 2015**, 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 Gloria Mitchell
Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director, Virginia Board of Nursing

ENTERED: October 30th, 2014

This Order shall become final on **January 2, 2015**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By J. Robinson-Howes
Virginia Board of Nursing