

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: KENNETH E. GREENE, L.P.N. REINSTATEMENT APPLICANT
License No.: 0002-067228

NOTICE OF HEARING

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Kenneth E. Greene, who, prior to its mandatory suspension by the Department of Health Professions on April 30, 2013, held License No. 0002-067228 to practice practical nursing in Virginia, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on September 17, 2014, at 11:00 a.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Mr. Greene will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Mr. Greene has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on his behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Mr. Greene desires any witnesses to appear on his behalf, he must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to receive and act upon Mr. Greene’s application for reinstatement of his license to practice practical nursing in Virginia and to inquire into evidence that Mr. Greene may have violated certain laws and regulations governing nursing practice in Virginia, as more fully set forth in the Statement of Particulars below.

The burden rests upon Mr. Greene, as the applicant, to demonstrate that he is capable of resuming the safe and competent practice of nursing in Virginia.

Pursuant to § 54.1-2409 of the Code, reinstatement of Mr. Greene's license requires the affirmative vote of three-fourths of the members of the Board in attendance at the hearing.

STATEMENT OF PARTICULARS

The Board alleges that:

1. Kenneth E. Greene may have violated § 54.1-3007(4) of the Code in that on October 19, 2012, he was convicted of a felony in the Circuit Court for the City of Newport News, Virginia, to wit: One (1) Count of Child Cruelty. This conviction formed the basis of the mandatory suspension of his license.

2. Mr. Greene may have violated § 54.1-3007(7) of the Code in that he entered into a Consent Order on November 5, 2004 with the New York Board of Nursing which placed his license on probation with terms and conditions. The action taken against Mr. Greene's license was due to medication administration errors and inaccurate record keeping.

3. Mr. Greene may have violated § 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") in that he has engaged in the following negligent practices:

a. Mr. Green's employment with Lake Taylor Transitional Hospital ("Lake Taylor"), Norfolk, Virginia was terminated on December 1, 2010 for delayed administration of medication and/or lack of medication administration documentation involving four patients.

b. Mr. Green's employment with Autumn Care of Chesapeake ("Autumn Care"), Chesapeake, Virginia was terminated on January 18, 2012 for infractions including lack of performance efficiency on the job, failure to give pain medication when requested, inaccurate charting, and failure to notify family of change of status of patient.

c. During the course of his employment with Harbor's Edge Retirement Community ("Harbor's Edge"), Norfolk, Virginia on or about August 31, 2012, Mr. Greene failed to follow doctor's orders on insulin dosing and time of administration, failed to follow infection control procedures, failed to assess a resident's condition, and failed to secure his medicine cart and maintain it in an organized condition.


4. Mr. Greene may have violated § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(n) of the Regulations in that, on or about January 18, 2012, Mr. Greene falsely told the Department of Health Professions investigator that his employment had never been terminated when, in fact, his employment had been terminated from Autumn Care; Lake Taylor; All Heart Home Health Agency, Norfolk, Virginia; and Beth Shalom Home of Eastern Virginia, Virginia Beach, Virginia.

5. Mr. Greene may have violated § 54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations in that:

a. Mr. Greene falsely stated on his application for employment with Autumn Care, dated December 22, 2010, that he left Lake Taylor because he "needed more flexibility" when, in fact, his employment with Lake Taylor was terminated on December 1, 2010, as noted in Allegation No. 3(a).

b. Mr. Greene falsely stated on his application for employment with Harbor's Edge, dated December 9, 2010, that he had never been fired or asked to resign from his job when, in fact, his employment with Lake Taylor was terminated on December 1, 2010, as noted in Allegation No. 3(a).

FOR THE BOARD


Ss Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director for the
Board of Nursing

ENTERED: September 3, 2014