

RECEIVED

JUN 05 2014

VA BD OF NURSING



Certified True Copy

By [Signature]
Virginia Board 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

June 4, 2014

Kristin DeeAnn Klingler
801-15th Street South, Apt. 1311
Arlington, VA 22202

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL

RE: License Numbers: 0001 - 214237
0024 - 169360

DATE 6/4/14

Dear Ms. Klingler:

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your licenses to practice as a professional nurse and as a nurse practitioner in the Commonwealth of Virginia have been mandatorily suspended by the enclosed Order entered June 4, 2014. 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 licenses 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 licenses 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 licenses 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 licenses, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4599.

Sincerely,

[Signature]

David E. Brown, D.C., Director
Department of Health Professions

Enclosures
Case # 156511

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: KRISTIN DEEANN KLINGLER, R.N., L.N.P.
License Numbers: 0001-214237
0024-169360


ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that the privilege of Kristin DeeAnn Klingler, R.N., L.N.P., to practice nursing through the Nurse Licensure Compact and her recognition to practice as a nurse anesthetist in the State of Texas were suspended by an Agreed Order which became effective on April 8, 2014. A certified copy of the Agreed Order 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 licenses of Kristin DeeAnn Klingler, R.N., L.N.P., to practice as a professional nurse and as a nurse practitioner in the Commonwealth of Virginia be, and hereby are, SUSPENDED.

Upon entry of this Order, the licenses of Kristin DeeAnn Klingler, R.N., L.N.P., will be recorded as suspended. Should Ms. Klingler seek reinstatement of her licenses 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 licenses prior to issuance of her licenses 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.



David E. Brown, D.C., Director
Department of Health Professions

ENTERED: 6/4/14



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

CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Agreed Order which became effective on April 8, 2014, regarding Kristin DeeAnn Klingler, R.N., L.N.P., is a true copy of the records received from the Texas Board of Nursing.



David E. Brown, D.C.

Date: 6/4/14

BEFORE THE TEXAS BOARD OF NURSING

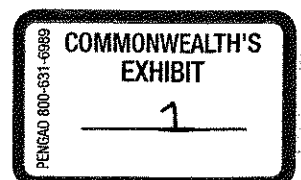
| | | |
|--|---|--------|
| In the Matter of Nurse Anesthetist, | § | AGREED |
| Registered Nurse License Number 728936 & | § | |
| Privilege to Practice from Virginia | § | |
| Registered Nurse License Number 0001214237 | § | |
| issued to KRISTIN DEEANN KLINGLER | § | ORDER |

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KRISTIN DEEANN KLINGLER, Nurse Anesthetist, Registered Nurse License Number 728936, and Privilege to Practice (PTP) nursing from Virginia Registered Nurse License Number 0001214237, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(9),(10),(12)&(13) and 301.453, Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on March 7, 2014.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent currently holds recognition as a Nurse Anesthetist in the State of Texas. Respondent currently holds a license to practice professional nursing in the State of Virginia. Respondent's license to practice professional nursing in the State of Texas is currently in invalid status.



4. Respondent received a Baccalaureate Degree in Nursing from Patty Hanks Shelton School of Nursing, Abilene, Texas, on June 12, 2006. Respondent was licensed to practice professional nursing in the State of Texas on June 15, 2006. Respondent was licensed to practice professional nursing in the State of Virginia on July 18, 2008. Respondent received a Masters in Science Nursing Degree from Old Dominion University, Norfolk, Virginia, on December 18, 2010. Respondent received recognition as a Nurse Anesthetist in the State of Texas on July 16, 2013.

5. Respondent's nursing employment history includes:

07/06 - 04/11 Unknown

05/11 - 06/12 CRNA Prince William Hospital
Manassas, Virginia

06/11 - 06/12 CRNA Fair Oaks Anesthesia Associates
Fairfax, Virginia

07/12 - 02/13 CRNA Winchester Medical Center
Winchester Virginia

05/11 - Unknown CRNA Manassas Anesthesia Associates
Manassas, Virginia

06/13 - 08/13 CRNA Texas Anesthesiology Consultants of Houston
Kingwood, Texas

09/13 - Unknown

6. At the time of the incident, Respondent was employed as a Certified Registered Nurse Anesthetist with Texas Anesthesiology Consultants of Houston, Kingwood, Texas and on Assignment at United Surgery Center, Houston, Texas, and had been in this position for two (2) months.

7. On or about August 6, 2013, while utilizing her Privilege to Practice (PTP) nursing associated with her license to practice nursing in the State of Virginia, and employed as a Nurse Anesthetist with Texas Anesthesiology Consultants of Houston, Kingwood, Texas, and on assignment at United Surgery Center, Houston, Texas, Respondent lacked fitness to practice nursing in that she was witnessed staring at a patient's monitor screen and slightly swaying in her chair, spacing out, appearing sleepy, shaking, and vomiting. In addition, staff noticed her pupils were pinpoint. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

8. On or about August 6, 2013, while utilizing her Privilege to Practice (PTP) nursing associated with her license to practice nursing in the State of Virginia, and employed as a Nurse Anesthetist with Texas Anesthesiology Consultants of Houston, Kingwood, Texas, and on assignment at United Surgery Center, Houston, Texas, Respondent lacked fitness to practice nursing in that she admitted to misappropriating Sufentanyl for personal use. Possession of Sufentanyl is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
9. Respondent's last known date of sobriety is August 6, 2013, as indicated in Finding of Fact Number Eight (8).
10. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent admits that she lacked fitness to practice nursing and that she misappropriated Sufentanyl to inject herself with it. However, Respondent denies engaging in the intemperate use of alcohol. Respondent states that her subsequent disclosure to the staff that she did not submit to a blood test because she would show alcohol was made out of panic and a poor attempt on her part to deflect confirmation of her abuse of Sufentanyl.
11. The Respondent's conduct described in the preceding Findings of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
12. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.
13. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.
14. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §§217.11(1)(A)&(1)(B) and 217.12(1)(A),(1)(B),(4),(5),(10)(A)&(11)(B).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9),(10),(12)&(13), Texas Occupations Code, to take disciplinary action against Nurse Anesthetist, Registered Nurse License Number 728936, Privilege to Practice (PTP) nursing from Virginia Registered Nurse License Number 0001214237, and, heretofore issued to KRISTIN DEEANN KLINGLER, up to, and including, revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Nurse Anesthetist, Registered Nurse License Number 728936, Privilege to Practice (PTP) nursing from Virginia Registered Nurse License Number 0001214237, previously issued to KRISTIN DEEANN KLINGLER, to practice nursing in Texas is/are hereby SUSPENDED and said suspension is ENFORCED until Respondent complies with Stipulation Numbers One (1) and Two (2):

(1) RESPONDENT SHALL apply to and be accepted into the TPAPN and complete the enrollment process, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.

IT IS FURTHER AGREED, upon verification of compliance with Stipulation Numbers One (1) and Two (2), the SUSPENSION will be stayed, and RESPONDENT SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the TPAPN:

(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep all applicable license(s) to practice nursing in the State of Texas current.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

RESPONDENT SHALL pay all re-registration fees, if applicable, and RESPONDENT'S licensure status in the State of Texas will be updated to reflect the applicable conditions outlined herein.

RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

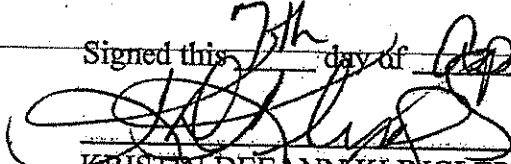
IT IS FURTHER AGREED, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

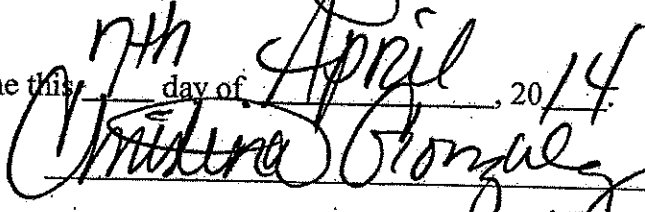
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. I acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Stipulation Numbers One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, and a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

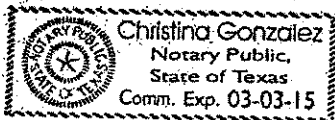
Signed this 7th day of April, 2014.


KRISTIN DEBANN KLINGLER, Respondent

Sworn to and subscribed before me this 7th day of April, 2014.


Notary Public in and for the State of Texas

SEAL



WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 7th day of April, 2014, by KRISTIN DEEANN KLINGLER, Nurse Anesthetist, Registered Nurse License Number 728936, Privilege to Practice (PTP) nursing from Virginia Registered Nurse License Number 0001214237, Registered Nurse License Number 728936, and said Order is final.

Effective this 8th day of April, 2014.



Katherine A. Thomas, MN, RN, FAAN
Executive Director on behalf
of said Board

I certify this to be a true copy
of the records on file with the
Texas Board of Nursing

Date: 4/28/14

Signed: Jessica Shaw

