

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: KATHLEEN M. DEWEIN, L.P.N.
License No.: 0002-056011

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”), Kathleen M. Dewein, L.P.N., who holds License No. 0002-056011, which expired on May 31, 2015, 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 July 15, 2015 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 Ms. Dewein will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Dewein has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. Dewein desires any witnesses to appear on her behalf, she 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 inquire into evidence that Ms. Dewein may have violated certain laws and regulations governing practical nursing practice in Virginia and to inquire into evidence that Ms. Dewein may have violated certain terms and conditions imposed on her as set forth in the Order of the Board entered on April 23, 2014 (“Board’s Order”), as more fully set forth in the Statement of Particulars below.

STATEMENT OF PARTICULARS

The Board alleges that:

1. During the course of her employment with Rose Hill Golden Living Center, Berryville, Virginia:
 - a. Ms. Dewein may have violated § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-20-300(A)(2)(e) and (f) of the Regulations Governing the Practice of Nursing (“Regulations”) in that:
 - i. By her own admission, on or about August 13-15, 2013, Ms. Dewein falsely documented pain levels for a resident.
 - ii. On or about March 6, 2014, Ms. Dewein documented performing a dressing change and treatment on Resident A that she did not perform.
 - iii. On or about March 26, 2014, Ms. Dewein documented placing a catheter in Resident B, and recorded 75cc of urine output, when, in fact, she did not provide the documented care. Ms. Dewein also falsely documented that the resident had worn his CPAP.
 - b. Ms. Dewein 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 on or about November 5, 2013, she documented a pain level and oxygen saturation for a resident who was not present in the facility.
 - c. Ms. Dewein 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 in that on or about September 30, 2013, she failed to complete lab draws on a resident.
 - d. Ms. Dewein may have violated § 54.1-3007(5) and (8) of the Code in that:
 - i. On or about August 15, 2013, she gave a resident medication belonging to another resident.

ii. On or about August 31, 2013, she failed to document administering immunizations in resident records.

iii. On or about January 24, 2014, she documented giving PPD tests to Resident C and Resident D and recorded them as being negative on that same date, when the tests were to be read on January 26, 2014.

iv. On or about April 24, 2014, she documented giving a PPD test to Resident E and recorded it as being negative on that same date, when the test was to be read on April 26, 2014.

2. Ms. Dewein 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 on her application for employment with Rose Hill Golden Living Center dated on or about November 2, 2012:

a. Ms. Dewein stated that her reason for leaving her employment with Evergreen Health and Rehabilitation, Winchester, Virginia was “hired @ Envoy,” when, in fact, her employment was terminated on or about February 15, 2012.

b. Ms. Dewein stated that her reason for leaving her initial employment with Rose Hill Golden Living Center in 2008 was “hired @ Evergreen,” when, in fact, her employment was terminated for testing positive for hydrocodone for which she did not have a valid prescription.

c. Ms. Dewein failed to list her employment with and termination from Willow Tree Manor, Charles Town, West Virginia.

3. Ms. Dewein may have violated Term No. 2 of the Board’s Order, which required her to inform the Board in writing within ten days of the date she began nursing practice or changed employment, or if any interruption in her nursing practice occurred, in that Ms. Dewein did not inform the Board of her employment termination from Rose Hill Golden Living Center, which occurred on or about May 30, 2014, until on or about June 27, 2014.

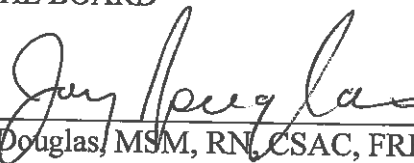
4. Ms. Dewein may have violated Term No. 5 of the Board's Order, which required her to practice nursing only in a structured, supervised employment setting satisfactory to the Board for the first year after being placed on probation, in that Ms. Dewein did not have her employments with Rose Hill Golden Living Center and Dermatology Associates, Inc., approved by the Board.

5. Ms. Dewein may have violated Term No. 6 of the Board's Order, which required her to undergo a chemical dependency evaluation by a Board-approved specialist. The evaluation report was due on June 7, 2014, but the Board did not receive said report until on or about July 9, 2014.

6. Ms. Dewein may have violated Term No. 8 of the Board's Order, which required her to have two supervised, unannounced random drug screens a month from a Board-approved testing entity, which included testing for alcohol, oxycodone and hydrocodone. The first set of results was due on June 22, 2014, but the Board did not receive said results until on or about June 27, 2014.

Please see Attachment I for the names of the residents referred to above.

FOR THE BOARD



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

ENTERED: _____

June 19th, 2015