

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: JONATHAN KNOX, R.N.
 License No.: 0001-238997**

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on January 16, 2014, in Henrico County, Virginia. Jonathan Knox, R.N., was present and was not represented by legal counsel. Jane Elliott, serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On March 19, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Mr. Knox was not present nor was he represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Jonathan Knox, R.N., was issued License No. 0001-238997 to practice professional nursing in Virginia on July 9, 2012. The license is scheduled to expire on March 13, 2015. Mr. Knox's primary state of residence is Virginia.

2. By letter dated December 18, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Mr. Knox notifying him that an informal conference would be held on January 16, 2014. The Notice was sent by certified and first class mail to 232 Barnsdale Road, Charlottesville, Virginia, 22911, the address of record on file with the Board of Nursing.

3. During the course of his employment with the University of Virginia Health System, Mr.

Knox was observed to experience certain personality changes, including crying and becoming emotional. He attributed the emotional issues to the exhaustion of his Effexor prescription, which he takes under a doctor's order. He takes the medication to treat stress and panic attacks.

4. Mr. Knox's employment with the University of Virginia Health System, where he had been employed since June 2012, was terminated in April 2013 following a urine drug screen that was positive for fentanyl and marijuana. Mr. Knox attributed the positive marijuana test to birthday cake he had eaten without knowing it was laced with marijuana.

5. Mr. Knox stated at the informal conference that he had used narcotic medication, including fentanyl and hydromorphone (both Schedule II), without a prescription. He stated that he consumed this medication to treat chronic back pain. He obtained the fentanyl from a friend, and he had hydromorphone left over after a surgical procedure performed in 2008.

6. Mr. Knox stated that he believes he suffers from post-traumatic stress disorder following a traumatic incident that he experienced while serving in the military.

7. Mr. Knox is currently working with a family member outside the health care setting.

CONCLUSIONS OF LAW

Findings of Fact No. 3, 4, 5 and 6 constitute a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. The Board shall TAKE NO ACTION contingent upon proof of Jonathan Knox's entry into the Health Practitioners' Monitoring Program ("HPMP") within 60 days of the date of entry of this Order. Thereafter, Mr. Knox shall comply with the terms and conditions of the HPMP for the period specified by the HPMP.

2. Any violation of the terms and conditions stated in this Order shall be reason for

revoking the license of Jonathan Knox, R.N., and an administrative proceeding shall be held to decide whether his license should be revoked. Mr. Knox shall be noticed to appear before the Board at such time as the Board is notified that:

- a. Mr. Knox has failed to make application to the HPMP;
- b. Mr. Knox is not in compliance with the terms and conditions of the HPMP, or has been terminated from participation in the HPMP;
- c. There is a pending investigation or unresolved allegation against Mr. Knox involving a violation of law or regulation or any term or condition of this Order; or
- d. Mr. Knox has successfully completed the above-referenced period of participation in the HPMP. However, upon receipt of Mr. Knox's participation in and compliance with the HPMP, the Board, at its discretion, may waive Mr. Knox's appearance before the Board and conduct an administrative review of this matter.

3. This Order is applicable to Mr. Knox's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Mr. Knox 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 Mr. Knox wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.


4. Mr. Knox shall maintain a course of conduct in his capacity as a professional nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

Pursuant to § 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.

Pursuant to Section 54.1-2400(10) of the Code, Mr. Knox may, not later than 5:00 p.m., on **May 6, 2014**, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that he 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 BOARD:


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

ENTERED: April 3, 2014

This Order shall become final on May 6, 2014, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By L. Robinson-Flowers
Virginia Board of Nursing
4-3-2014