

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: KAREN G. TEMPLE

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 Board of Nursing ("Board") met on April 12, 2005, in Henrico County, Virginia, to receive and act upon evidence regarding the petition of Karen G. Temple for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia, which was summarily suspended by Order entered March 13, 1996, and indefinitely suspended by Consent Order entered May 20, 1996, and to receive and act upon evidence that Ms. Temple may have violated certain laws and regulations governing the practice of professional nursing in Virginia. Ms. Temple was present and was not represented by counsel. Upon consideration of the evidence presented, the Committee adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Ms. Temple previously held license 0001-142010, which was summarily suspended by Order entered March 12, 1996. By Consent Order entered May 20, 1996, Ms. Temple's license was indefinitely suspended for not less than two (2) years due to her diversion of Schedule II and IV drugs from her place of employment and the unauthorized use of drugs while on and off duty.
2. Ms. Temple violated § 54.1-3007(4) of the Code, in that, on or about August 21, 1996, in the Circuit Court of the City of Hopewell, Virginia, she was found guilty of two (2) felony counts of obtaining Demerol (Meperidine HCl, Schedule II) by subterfuge. Ms.

Temple was sentenced to imprisonment for three (3) years, which was suspended on terms and conditions to include probation. She was released from probation on August 21, 1997.

3. By her own admission, Ms. Temple has a history of chemical dependency and alcoholism. She reported her sobriety date as November 6, 2003.
4. On or about July 23, 2003, Ms. Temple signed a Participation Contract with the Health Practitioners' Intervention Program ("HPIP"), and a Recovery Monitoring Contract with HPIP on or about October 6, 2003. She provided a copy of a Recovery Monitoring Contract #2 signed on August 2, 2004. Linda Kleiner, HPIP, reported to the Committee that Ms. Temple is in full compliance with the terms of this contract, and supported Ms. Temple's petition for reinstatement of her license.
5. Ms. Temple provided the Committee with a letter dated April 7, 2005, from Maryann H. Cox, L.C.S.W. Ms. Cox reported that she has seen Ms. Temple for individual counseling since October 13, 2003, and that the prognosis for Ms. Temple's continued recovery is very good.
6. Ms. Temple reported that she attends three (3) Alcoholics Anonymous/Narcotics Anonymous meetings a week and weekly Caduceus meetings.
7. Ms. Temple successfully completed a home study nursing refresher course through the University of North Carolina in March 2005. She also completed 15 contact hours of continuing education through the internet.
8. Ms. Temple stated that her intent is to work in a non-clinical setting.

9. The Committee concludes that Karen Temple has met the requirements for reinstatement and that she is competent to return to the practice of nursing with reasonable skill and safety to patients, subject to certain restrictions, as more fully set forth below.

ORDER

On the basis of the foregoing, the Committee, effective upon entry of this Order, hereby ORDERS that the license of Karen G. Temple to practice professional nursing in the Commonwealth of Virginia, be, and hereby is, REINSTATED, subject to the following terms and conditions:

1. Ms. Temple shall comply with all terms and conditions for the period specified by the Health Practitioners' Intervention Program ("HPIP").
2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Karen Temple, and an administrative proceeding shall be held to decide whether her license shall be revoked. Ms. Temple shall be noticed to appear before a Committee at such time as the Board is notified that:
  - a) She is not in compliance with the terms and conditions specified by the HPIP, or has been terminated from participation in the HPIP, or
  - b) There is a pending investigation or unresolved allegations against her involving a violation of law, regulation or any term or condition of this Order, or,
  - c) She has successfully completed the specified period of participation in the HPIP. However, upon receipt of evidence of her participation in and compliance with the HPIP, the Committee, at its discretion, may waive Ms. Temple's appearance before the Committee, and conduct an administrative review of this matter.

FURTHER, the Committee hereby ORDERS that Karen Temple, be, and hereby is, placed on PROBATION subject to the following terms and conditions:

1. The period of probation shall begin on the date that this Order is entered and shall end upon one year (1) of employment as a professional nurse. The license of Ms. Temple shall be reinstated without restriction at the completion of the probationary period without a hearing unless there is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of probation. In that event, the period of probation shall be continued indefinitely or until such time as the Board makes a case decision in accordance with the Administrative Process Act, § 2.2-4024 et seq. of the Code.
2. Written reports are required by this Order and shall be sent to the Board office with the first report being received no later than sixty (60) days following the date that this Order is final. Subsequent reports must be received quarterly by the last day of the months of March, June, September and December until the period of probation ends, to include:
  - a) "Self-Reports" shall be provided, as detailed below.
3. Ms. Temple shall inform the Board in writing within ten (10) days of the date she begins nursing practice, or changes employment, or any interruption in nursing practice occurs, and Ms. Temple shall provide the name and address of the employer.
4. Ms. Temple shall inform each future nursing employer that the Board has placed her on probation and shall provide each employer with a complete copy of this Order. If Ms. Temple is employed through a staffing agency, she shall inform her supervisor in each facility where assigned that she is on probation.
5. Ms. Temple shall practice nursing only in a non-clinical employment setting satisfactory to the Board for the period of probation.

6. Ms. Temple shall submit quarterly "Self-Reports" which include a current address, telephone number, and all current employment. This report shall also include any changes in employment status, as required in Term No. 3.
7. The Board shall issue Ms. Temple a license marked "PROBATION WITH TERMS"-Valid Virginia Only .
8. Ms. Temple, as a nurse, shall conduct herself in compliance with the requirements of Title 54.1, Chapter 30 of the Code of Virginia (1950), as amended, and the Board of Nursing Regulations.
9. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Ms. Temple, and a hearing shall be held to decide whether her license shall be revoked.


Pursuant to § 2.2-4023 of the Code of Virginia (1950), as amended, 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.

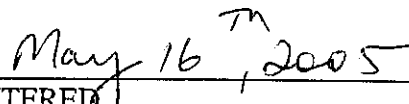
This order shall be applicable to Ms. Temple's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. It is further ordered that for the duration of this Order, Ms. Temple may not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where the respondent wishes to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

If Ms. Temple does not consent to the Committee's decision and desires a hearing before the Board or a panel thereof, she shall notify, in writing, Jay P. Douglas, R.N., M.S.M., C.S.A.C.,

Executive Director, Board of Nursing, 6603 W. Broad Street, Fifth Floor, Richmond, Virginia 23230-1712 within thirty-three (33) days from the date of entry of this Order. This Order shall become final upon the expiration of the thirty-three (33) day period unless a written request for a formal hearing is received within such time. Upon receiving timely request for a hearing, the Board or panel thereof shall then proceed with a hearing as provided in §§ 2.2-4020 and 2.2-4021 of the Code of Virginia (1950), as amended.

FOR THE BOARD

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

  
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