

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: JOI KELLY, R.N.**  
**License No.: 0001-223227**

**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”), Joi Kelly, R.N., who holds License No. 0001-223227, which expires on July 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 January 27, 2014, at 2:00 p.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. Kelly will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Kelly 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. Kelly 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 Joi Kelly, R.N., may have violated certain laws and regulations governing professional nursing practice in Virginia, as more fully set forth in the Statement of Particulars below.

**STATEMENT OF PARTICULARS**

The Board alleges:

1. Joi Kelly, R.N., 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 during the course of her employment at Hunter Holmes McGuire VA Medical Center, Richmond, Virginia:

a. On or about March 27, 2012, Ms. Kelly refused to perform bowel care as ordered for Patient A. She stated the patient did not need bowel care even though the last documented bowel care was on or about March 24, 2012.

b. On or about January 11, 2012, Ms. Kelly failed to reassess Patient B, who was critically ill and being transferred to another unit.

c. On or about September 22, 2011, Patient C was under Ms. Kelly’s care when he went into respiratory distress. After a co-worker entered Patient C’s room, Ms. Kelly left the room and told the night tour coordinator that her co-worker needed help as she left the facility.

2. Ms. Kelly 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:

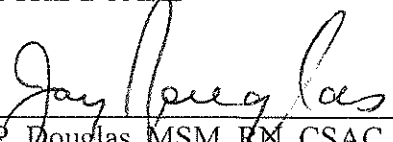
a. On her employment application for The Orchard at Warsaw, Warsaw, Virginia, dated February 19, 2013, Ms. Kelly failed to list Hospice of Virginia, Richmond, Virginia, where her employment was terminated, and Laurels of University Park, Richmond, Virginia, where her employment was terminated, in her work history or resume.

b. On her employment application for Hunter Holmes McGuire VA Medical Center dated February 21, 2011, Ms. Kelly answered “No” to the question of whether she had had her employment discharged, when, in fact, she had been discharged from Hospice of Virginia, Medi Home Health, Richmond, Virginia, and Laurels of University Park.

c. On her employment application for Hospice of Virginia dated April 27, 2010, Ms. Kelly failed to list in her employment history Laurels at University Park and Medi Home Health.

d. On her employment application for Laurels of University Park dated February 11, 2010, Ms. Kelly failed to list Medi Home Health as a previous employer.

FOR THE BOARD

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

ENTERED: 