

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: KAY ARCHEVALD, R.N.**  
**License No.: 0001-096110**

**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 October 23, 2013, in Henrico County, Virginia. Kay Archevald, R.N., was present and was not represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 29, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Archevald was not present nor was she 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. Kay Archevald, R.N., was issued License No. 0001-096110 to practice professional nursing in Virginia on March 18, 1985. The license is scheduled to expire on May 31, 2014. Ms. Archevald's primary state of residence is Virginia.
2. By letter dated September 26, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Archevald notifying her that an informal conference would be held on October 23, 2013. The Notice was sent by certified and first class mail to 205 34<sup>th</sup> Street, Apt. 709, Virginia Beach, Virginia, 23451, the address of record on file with the Board of Nursing.

3. On September 12, 2008, the Board summarily suspended Ms. Archevald's license to practice professional nursing on the grounds that she had diverted Demerol (Schedule II) during the course of her employment with Chesapeake Regional Medical Center, Chesapeake, Virginia. Pursuant to a Consent Order entered October 31, 2008, Ms. Archevald's license was continued on indefinite suspension. On November 20, 2008, Ms. Archevald signed a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP"), in which she acknowledged her chemical abuse issues. On November 2, 2009, the Board reinstated Ms. Archevald's license to practice professional nursing contingent upon her continued compliance with the HPMP.

4. On February 7, 2011, the State of California Board of Registered Nursing issued an Order revoking the license of Ms. Archevald on the grounds that had led to the mandatory suspension of her Virginia license on April 18, 2011.

5. On April 18, 2011, the Board entered a Consent Order reinstating Ms. Archevald's license to practice professional nursing pursuant to the terms and conditions placed on her as referenced in the Board's previous order dated November 2, 2009.

6. Term No. 2 of the Board's Order dated November 2, 2009, required Ms. Archevald to comply with all terms and conditions of the HPMP.

7. On October 19, 2012, Ms. Archevald was dismissed from the HPMP for noncompliance, including continued use of alcohol and failure to enter and complete treatment as recommended.

8. Ms. Archevald signed a new Participation Contract with the HPMP on January 24, 2013, in which she acknowledged her history of substance abuse. She signed her fourth Recovery Monitoring Contract on October 12, 2013, but it had not been signed by the HPMP as of the date of the informal conference.

9. Ms. Archevald stated at the informal conference that she is approved to look for work.

At the time of her dismissal from the HPMP, she had been seeking treatment with Tidewater Psychotherapy, which was not then approved by the HPMP as a treatment provider, rather than Lakeview Psychotherapy, which was recommended by the HPMP but which did not accept her insurance plan and which she could not afford. Tidewater Psychotherapy is now an HPMP-approved treatment provider.

10. Ms. Archevald reported at the informal conference that she is interviewing for an R.N. supervisor position with Envoy Healthcare.

11. Ms. Archevald acknowledged her substance abuse history at the informal conference. She stated that her abuse of Demerol lasted approximately four months and was directly related to stress of her daughter being bullied. Ms. Archevald stated at the informal conference that her sobriety date was June 16, 2012. She reported that she last used alcohol in June 2012, but she denied being an alcoholic. She is not currently on any medication and is currently not employed.

### CONCLUSIONS OF LAW

Finding of Fact No. 7 constitutes a violation of § 54.1-3007(6) of the Code and Term No. 2 of the Board's Order.

### ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Kay Archevald, R.N., is hereby REPRIMANDED.
2. License No. 0001-096110 of Kay Archevald, R.N., is INDEFINITELY SUSPENDED.
3. The license will be recorded as suspended and no longer current.
4. At such time as Ms. Archevald shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of professional nursing. Ms. Archevald shall be responsible for any fees

that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.

5. This suspension shall be STAYED and the following terms and conditions shall apply:

a. Ms. Archevald shall comply with all terms and conditions of the HPMP for the period specified by the HPMP.

b. Any violation of the terms and conditions stated in this Order shall be reason for summarily rescinding the stay of indefinite suspension of the license of Ms. Archevald, and an administrative proceeding shall be held to determine whether her license shall be revoked. The stay of indefinite suspension may be summarily rescinded at such time the Board is notified that:

i. Ms. Archevald is not in compliance with the terms and conditions specified by the HPMP;

ii. Ms. Archevald's participation in the HPMP has been terminated;

iii. There is a pending investigation or unresolved allegation against Ms. Archevald involving a violation of law, regulation, or any term or condition of this order.

6. Upon receipt of evidence of Ms. Archevald's participation and successful completion of the HPMP, the Board, at its discretion, may waive Ms. Archevald's appearance before a Committee and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

7. This Order is applicable to Ms. Archevald's multistate licensure privileges, if any, to practice professional nursing. For the duration of this Order, Ms. Archevald 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 Ms. Archevald wishes to work. Any requests for out of state employment should be directed, in writing, to

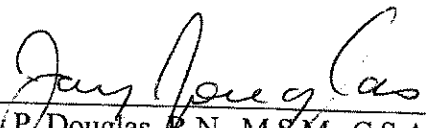
the Executive Director of the Board.

8. Ms. Archevald shall maintain a course of conduct in her 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.

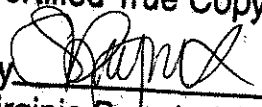
Pursuant to Section 54.1-2400(10) of the Code, Ms. Archevald may, not later than 5:00 p.m., on March 17, 2014, notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative 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:

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

ENTERED: February 12<sup>th</sup>, 2014

This Order shall become final on March 17, 2014 unless a request for a formal administrative hearing is received as described above.

**Certified True Copy**  
By   
Virginia Board of Nursing