

RECEIVE

FEB 07 2014

VA BD OF NURS

Certified True Copy

By 
Virginia Board of Nursing



COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.
Director

Department of Health Professions

Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367- 4400
FAX (804) 527- 4475

February 7, 2014

LeAnn Rene Anderson Beverly
32 Dorothy Drive
Springville, AL 35146
and
7315 Maple Court, SW
Roanoke, VA 24018

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL

DATE 2/7/14

RE: License No.: 0001-214900

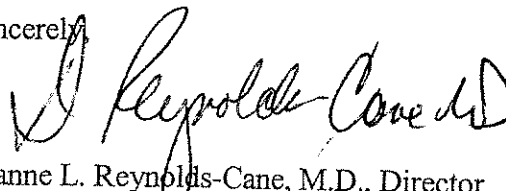
Dear Ms. Beverly:

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your license to practice nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered February 7, 2014. You are hereby advised that, pursuant to Section 54.1-2409.1 of the Code, any person who practices a profession or occupation after having their license or certificate to do so suspended shall be guilty of a felony. Please return your license to Jay P. Douglas, Executive Director of the Virginia Board of Nursing, at the above address, immediately upon receipt of this letter.

Section 54.1-2409 of the Code further provides that you may apply to the Board of Nursing ("Board") for reinstatement of your license, and shall be entitled to a hearing not later than the next regular meeting of the Board after the expiration of sixty days from the receipt of such reinstatement application. You have the following rights, among others: to be represented by legal counsel, to have witnesses subpoenaed on your behalf, to present documentary evidence and to cross-examine adverse witnesses. The reinstatement of your license shall require the affirmative vote of three-fourths of the members present of the Board of Nursing.

Should you wish to petition the Board of Nursing for reinstatement of your license, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4599.

Sincerely,



Dianne L. Reynolds-Cane, M.D., Director
Department of Health Professions

Enclosures

Case # 152376 & 152380

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: LEANN RENE ANDERSON BEVERLY, R.N.
License No.: 0001-214900

ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Dianne L. Reynolds-Cane, M.D., Director of the Virginia Department of Health Professions, received and acted upon evidence that:


1. The State of Texas Board of Nursing revoked the license of LeAnn Rene Anderson Beverly, R.N., to practice nursing in the State of Texas by an Order of the Board entered February 12, 2013. A certified copy of the Order of the Board (with attachment) is attached to this Order and is marked as Commonwealth's Exhibit No. 1; and
2. The State of California Board of Registered Nursing revoked the license of LeAnn Rene Anderson Beverly, R.N., to practice nursing in the State of California by Default Decision and Order which became effective on August 16, 2013. A certified copy of the Default Decision and Order is attached to this Order and is marked as Commonwealth's Exhibit No. 2.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the privilege of LeAnn Rene Anderson Beverly, R.N., to renew her license to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of LeAnn Rene Anderson Beverly, R.N., will be recorded as suspended and no longer current. Should Ms. Beverly seek reinstatement of her license pursuant to Section 54.1-2409 of the Code, she shall be responsible for any fees that may be required

for the reinstatement and renewal of her license prior to issuance of her license to resume practice.

Pursuant to Sections 2.2-4023 and 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.



Dianne L. Reynolds-Cane, M.D., Director
Department of Health Professions

ENTERED: _____

2-7-14



COMMONWEALTH of VIRGINIA

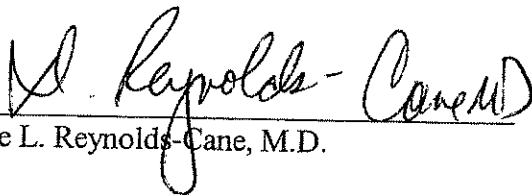
Dianne L. Reynolds-Cane, M.D.
Director

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367- 4400
FAX (804) 527- 4475

CERTIFICATION OF DUPLICATE RECORDS

I, Dianne L. Reynolds-Cane, M.D., Director of the Department of Health Professions, hereby certify that the attached Order of the Board (with attachment) entered February 12, 2013, regarding LeAnn Rene Anderson Beverly, R.N., are true copies of the records received from the State of Texas Board of Nursing.



Dianne L. Reynolds-Cane, M.D.

Date: 2-7-14

IN THE MATTER OF PERMANENT
REGISTERED NURSE LICENSE
NUMBER 805692 ISSUED TO
LEANN RENE BEVERLY

§
§
§
§

BEFORE THE TEXAS
BOARD OF NURSING
ELIGIBILITY AND
DISCIPLINARY COMMITTEE



I do hereby certify this to be a complete,
accurate, and true copy of the document which
is on file or is of record in the offices of the
Texas Board of Nursing.
Stephanie P. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Leann Rene Beverly
7315 Maple Court SW
Roanoke, VA 24018

During open meeting held in Austin, Texas, on February 12, 2013, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

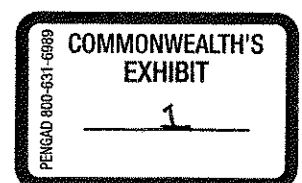
The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order



will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

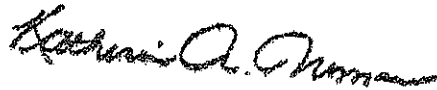
All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 805692, previously issued to LEANN RENE BEVERLY, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 12th day of February, 2013.

TEXAS BOARD OF NURSING



BY:

KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charge filed August 10, 2012.

Re: Permanent Registered Nurse License Number 805692
Issued to LEANN RENE BEVERLY
DEFAULT ORDER - REVOKE

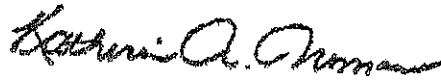
CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of February, 2013, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested

Leann Rene Beverly
7315 Maple Court SW
Roanoke, VA 24018

BY:



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Permanent Registered § BEFORE THE TEXAS
Nurse License Number 805692 §
Issued to LEANN RENE BEVERLY, §
Respondent § BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, LEANN RENE BEVERLY, is a Registered Nurse holding License Number 805692 which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about May 15, 2012, Respondent received a Consent Order from the Virginia Board of Nursing wherein Respondent's license to practice professional nursing in the State of Virginia was Indefinitely Suspended for documentation errors and violations of the Health Insurance Portability and Accountability Act (HIPAA). A copy of the Consent Order issued by the Virginia Board of Nursing, dated May 15, 2012, is attached and incorporated by reference as part of this charge.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Consent Order issued by the Virginia Board of Nursing dated May 15, 2012.

Filed this 10 day of August, 20 12.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Abel, Assistant General Counsel
State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924

John R. Griffith, Assistant General Counsel
State Bar No. 24079751

Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847

Nikki Hopkins, Assistant General Counsel
State Bar No. 24052269

John F. Legris, Assistant General Counsel
State Bar No. 00785533

TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6811
F: (512) 305-8101 or (512)305-7401

Attachments: Consent Order issued by the Virginia Board of Nursing dated May 15, 2012.

D/2012.06.19

MAY 04 2012

DHP

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

LEANN BEVERLY, R.N.
LICENSE NO.: 0001-214900

CONSENT ORDER

Pursuant to §§2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was held before a Special Conference Committee ("Committee") of the Board of Nursing ("Board") on December 7, 2011 in Henrico County, Virginia, to inquire into evidence that LeAnn Beverly, R.N., may have violated certain laws and regulations governing the practice of nursing in Virginia. Ms. Beverly 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

1. LeAnn Beverly, R.N., was issued License No. 0001-214900 to practice professional nursing in the Commonwealth of Virginia on August 14, 2008. Said license expires on June 30, 2013. Her primary state of residency is Alabama.
2. By letter dated November 2, 2011, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Beverly notifying her that an informal conference would be held on December 7, 2011. The Notice was sent by certified and first class mail to 250 Forest Pass, Jackson, Alabama 36545, the address of record on file with the Board of Nursing. The Notice was also sent to 6545 Laban Road, Roanoke, Virginia 24019, a secondary address, at Ms. Beverly's request.

3. During the course of her employment with Carilion Clinic Roanoke Memorial Hospital, Roanoke, Virginia, on February 17, 2011, by her own admission, Ms. Beverly administered 60 mg of Lovenox (enoxaparin) by injection to Patient A without a physician's order. Furthermore, Ms. Beverly failed to document the administration in Patient A's record, though she did report the error to her superior.

4. On February 9, 2011, Ms. Beverly failed to administer Patient B's 2:00 p.m. dose of heparin as ordered. Ms. Beverly did not report this missed dose to Patient B's physician. By her own admission, she advocated to the on-coming nurse to administer the patient's 2:00 p.m. dose at 5:00 p.m., stating that it could be given at that time. Ultimately, Patient B did not receive the 2:00 p.m. dose on that date.

5. Also on February 9, 2011, by her own admission, Ms. Beverly failed to document administration of Keppra (levetiracetam) at 3:00 p.m. to Patient C.

6. On January 27, 2011, Ms. Beverly failed to transfer Patient D in a timely manner following an ordered stat transfer to the intensive care unit for respiratory distress.

7. On February 16, 2011, by her own admission, Ms. Beverly discharged Patient E and indicated in his medical record that the patient left the unit with a hospital transport to his home. Patient E did not have a transport as Ms. Beverly had not yet arranged for one. In addition, she charted on February 16, 2011 at 7:52 p.m. that another nurse would be handling the discharge on the following day and had notified Patient E's physician, which was false.

8. Also on February 16, 2011, while giving report on four individual patients, Ms. Beverly allowed a hospital visitor to view confidential health information when she scrolled through patient records in full view of the visitor and verbalized their content.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 3 through 6 constitute violations of §54.1-3007(2), (3), (5), and (8) of the Code and 18 VAC 90-20-300A(2)(b) and (f) of the Regulations Governing Professional Nursing ("Regulations").
2. Finding of Fact No. 7 constitutes a violation of §54.1-3007(2), (3), (5), and (8) of the Code and 18 VAC 90-20-300A(2)(b), (e) and (f) of the Regulations.
3. Finding of Fact No. 8 constitutes a violation of §54.1-3007(2) and (5) of the Code and 18 VAC 90-20-300A(2)(m) of the Regulations.

CONSENT

LeAnn Beverly, R.N., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to formal fact finding hearing before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to a formal hearing;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice professional nursing in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. License No. 0001-214900 of LeAnn Beverly, R.N., is INDEFINITELY SUSPENDED.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Beverly 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. Beverly 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.
4. This suspension applies to any multistate privilege to practice professional nursing.
5. This suspension shall be STAYED upon proof of entry into a Board-approved R.N. refresher course, consisting of both classroom and clinical components. Ms. Beverly shall submit proof of successful completion of the refresher course within six months after the date that this Order is entered. Ms. Beverly shall not practice nursing without Board approval until her license is reinstated without restriction. Upon receipt of the required information, the Board may request that Ms. Beverly reappear before a Special Conference Committee in order to make a final disposition of the matter.
6. 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 LeAnn Beverly, R.N., 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 there is a pending investigation or unresolved allegation against Ms. Beverly involving a violation of law, regulation, or any term or condition of this order.

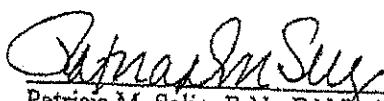
7. This Order is applicable to Ms. Beverly's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Beverly shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without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

8. LeAnn Beverly, R.N., is hereby REPRIMANDED.

9. Ms. Beverly 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 §§2.2-4023 and 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 public record and shall be made available for public inspection or copying upon request.

FOR THE BOARD


Patricia M. Selig, R.N., F.N.P., Ph.D.
President, Virginia Board of Nursing

ENTERED: May 15, 2012

Certified True Copy

By 
Virginia Board of Nursing

SEEN AND AGREED TO:

LeAnn Beverly RN
LeAnn Beverly, R.N.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF _____, TO WIT:

Subscribed and sworn to before me, Rebecca Pickens, a Notary Public, this 3 day of May, 2012.

My commission expires _____
MY COMMISSION EXPIRES FEBRUARY 24, 2016

Registration Number _____

Rebecca Pickens
NOTARY PUBLIC



COMMONWEALTH of VIRGINIA

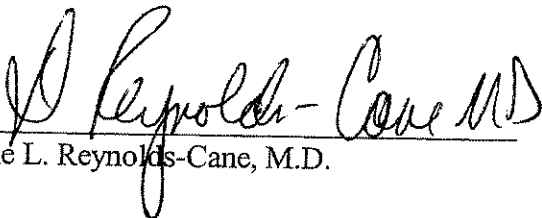
Dianne L. Reynolds-Cane, M.D.
Director

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367- 4400
FAX (804) 527- 4475

CERTIFICATION OF DUPLICATE RECORDS

I, Dianne L. Reynolds-Cane, M.D., Director of the Department of Health Professions, hereby certify that the attached Default Decision and Order which became effective on August 16, 2013, regarding LeAnn Rene Anderson Beverly, R.N., are true copies of the records received from the State of California Board of Registered Nursing.



Dianne L. Reynolds-Cane, M.D.

Date: 2-7-14

I hereby certify the foregoing to be a true copy of the documents on file in our office.

BOARD OF REGISTERED NURSING

Louise R. Bailey, M.Ed., RN
Louise R. Bailey, M. Ed., RN
Executive Officer



**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

In the Matter of the Accusation Against:

**LEANN RENE BEVERLY
aka LEANN BEVERLY
3663 Solano Avenue Apt 24
Napa, CA 94558**

Registered Nurse License No. 653688

RESPONDENT

Case No. 2013-739

DEFAULT DECISION AND ORDER

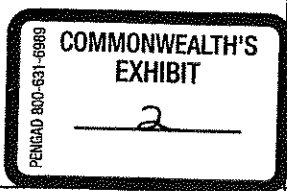
[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about March 13, 2013, Complainant Louise R. Bailey, M.Ed.,RN, in her official capacity as the Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs, filed Accusation No. 2013-739 against Leann Rene Beverly, aka Leann Beverly (Respondent) before the Board of Registered Nursing. (Accusation attached as Exhibit A.)
2. On or about March 2, 2005, the Board of Registered Nursing (Board) issued Registered Nurse License No. 653688 to Respondent. The Registered Nurse License was in full force and effect at all times relevant to the charges brought herein and expired on July 31, 2006 and has not been renewed.
3. On or about March 13, 2013, Respondent was served by Certified and First Class Mail copies of the Accusation No. 2013-739, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record which, pursuant to Business and Professions Code section 136 and/Title 16, California Code of Regulation, section 1409.1, is required to be reported and maintained with the Board, which was and is:

3663 Solano Avenue Apt 24

Napa, CA 94558.



1 4. Service of the Accusation was effective as a matter of law under the provisions of
2 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
3 124.

4 5. On or about April 17, 2013, the aforementioned documents were returned by the U.S.
5 Postal Service, marked "Attempted Not Known and Undeliverable as Addressed, No Forwarding
6 Order on File." The address on the documents was the same as the address on file with the Board.
7 Respondent failed to maintain an updated address with the Board and the Board has made
8 attempts to serve the Respondent at the address on file. Respondent has not made herself,
9 available for service and therefore, has not availed herself of her right to file a notice of defense
10 and appear at hearing.

11 6. Business and Professions Code section 2764 states:

12 The lapsing or suspension of a license by operation of law or by order or decision of
13 the board or a court of law, or the voluntary surrender of a license by a licentiate shall not deprive
14 the board of jurisdiction to proceed with an investigation of or action or disciplinary proceeding
15 against such license, or to render a decision suspending or revoking such license.

16 7. Government Code section 11506 states, in pertinent part:

17 (c) The respondent shall be entitled to a hearing on the merits if the respondent files a
18 notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation
19 not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's
20 right to a hearing, but the agency in its discretion may nevertheless grant a hearing.

21 8. Respondent failed to file a Notice of Defense within 15 days after service of
22 the Accusation upon her, and therefore waived her right to a hearing on the merits of Accusation
23 No. 2013-739.

24 9. California Government Code section 11520 states, in pertinent part:

25 (a) If the respondent either fails to file a notice of defense or to appear at the hearing, the
26 agency may take action based upon the respondent's express admissions or upon other evidence
27 and affidavits may be used as evidence without any notice to respondent.

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

3. The Board of Registered Nursing is authorized to revoke Respondent's license(s) based upon the following violations alleged in the Accusation, which are supported by the evidence contained in the Default Decision Investigatory Evidence Packet in this case.

a. Violation of Business and Professions Code section 2761(a)(4) - Disciplinary action by another State Board of Nursing.

//
//

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

IT IS SO ORDERED that Registered Nurse License No. 653688, heretofore issued to Respondent Leann Rene Beverly, aka Leann Beverly, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on AUGUST 16, 2013.

It is so ORDERED JULY 18, 2013.



Board of Registered Nursing
Department of Consumer Affairs
State of California

Attachment:

Exhibit A: Accusation No. 2013-739

Exhibit A

Accusation No. 2013-739

1 KAMALA D. HARRIS
Attorney General of California
2 DIANN SOKOLOFF
Supervising Deputy Attorney General
3 State Bar No. 161082
LYN HUNTER
4 Legal Analyst
1515 Clay Street, 20th Floor
5 P.O. Box 70550
Oakland, CA 94612-0550
6 Telephone: (510) 622-2250
Facsimile: (510) 622-2270
7 Attorneys for Complainant

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 **In the Matter of the Accusation Against:**

Case No. *2013-739*

ACCUSATION

12 **LEANN RENE BEVERLY**
13 **a.k.a. LEANN BEVERLY**
14 **3663 Solano Avneue, Apt. 24**
Napa, CA 94558

15 **Registered Nurse License No. 653688**

16 Respondent.

17
18
19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
22 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
23 Consumer Affairs.

24 2. On or about March 2, 2005, the Board of Registered Nursing issued Registered Nurse
25 License Number 653688 to Leann Rene Beverly a.k.a. Leann Beverly (Respondent). The
26 Registered Nurse License was in full force and effect at all times relevant to the charges brought
27 in this Accusation and expired on July 31, 2006.
28

1 JURISDICTION

2 3. This Accusation is brought before the Board of Registered Nursing (Board),
3 Department of Consumer Affairs, under the authority of the following laws. All section
4 references are to the Business and Professions Code unless otherwise indicated.

5 4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part,
6 that the Board may discipline any licensee, including a licensee holding a temporary or an
7 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the
8 Nursing Practice Act.

9 5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license
10 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the
11 licensee or to render a decision imposing discipline on the license. Under section 2811,
12 subdivision (b) of the Code, the Board may renew an expired license at any time within eight
13 years after the expiration.

14 6. Section 118, subdivision (b), of the Code provides that the expiration of a license
15 shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period
16 within which the license may be renewed, restored, reissued or reinstated.

17 STATUTORY PROVISIONS

18 7. Section 2761 of the Code states:

19 "The board may take disciplinary action against a certified or licensed nurse or deny an
20 application for a certificate or license for any of the following:

21 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

22

23 "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action
24 against a health care professional license or certificate by another state or territory of the United
25 States, by any other government agency, or by another California health care professional
26 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that
27 action."

28 ///

1 COST RECOVERY

2 8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
3 administrative law judge to direct a licentiate found to have committed a violation or violations of
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
5 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
6 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
7 included in a stipulated settlement.

8 DRUGS

9 9. Lovenox (enoxaparin) is an anticoagulant (blood thinner) used to prevent and treat
10 deep vein thrombosis or pulmonary embolism, and is given as a subcutaneous injection (by a
11 health care provider or the patient).

12 10. Heparin is an anticoagulant (blood thinner) that prevents the formation of blood clots.
13 Heparin is used to treat and prevent blood clots in the veins, arteries, or lung. Heparin is also
14 used before surgery to reduce the risk of blood clots.

15 11. Keppra (levetiracetam) is an anti-epileptic drug, also called an anticonvulsant. Keppra
16 is used to treat partial onset seizures in adults and children who are at least 1 month old. Keppra
17 is also used to treat tonic-clonic seizures in adults and children who are at least 6 years old, and
18 myoclonic seizures in adults and children who are at least 12 years old.

19 CAUSE FOR DISCIPLINE

20 (Unprofessional Conduct - Out of State Discipline)
21 (Bus. & Prof. Code § 2761, subd. (a)(4))

22 12. Respondent has subjected her registered nurse license to disciplinary action under
23 Code section 2761, subdivision (a)(4), in that on or about May 15, 2012, in a disciplinary action
24 before the Virginia State Board of Nursing (Virginia Board), the Virginia Board issued a Consent
25 Order indefinitely suspending Respondent's nursing license.

26 13. The Virginia Board's Consent Order enumerated the following requirements and
27 conditions for the reinstatement of Respondent's license: (1) at such time as Respondent shall
28 petition the Virginia Board for reinstatement of her license, an administrative proceeding will be

1 convened to determine whether Respondent is capable of resuming the safe and competent
2 practice of professional nursing; (2) the suspension of Respondent's license applies to any
3 multistate privilege to practice professional nursing. For the duration of the Consent Order,
4 Respondent shall not work outside of the Commonwealth of Virginia pursuant to multistate
5 licensure privilege without the written permission of the Virginia Board and the Board of Nursing
6 in the party state where Respondent wishes to work; (3) the suspension of Respondent's license
7 shall be stayed upon proof of entry into a Board-approved R.N. refresher course, consisting of
8 both classroom and clinical components; (4) Respondent must submit proof of successful
9 completion of the refresher course within six months after the date that the Consent Order is
10 entered; (5) Respondent shall not practice nursing without Board approval until her license is
11 reinstated without restriction; (6) upon receipt of all required documentation, the Virginia Board
12 may request that Respondent reappear before a Special Conference Committee in order to make a
13 final disposition of the matter; (7) any violation of the terms and condition stated in the Consent
14 Order shall be reason for summarily rescinding the stay of indefinite suspension of the
15 Respondent's license and an administrative proceedings shall be held to determine whether her
16 license shall be revoked. The Consent Order also required Respondent to pay any fees that may
17 be required for the reinstatement and renewal of the license prior to issuance of the license to
18 resume practicing. The circumstances of the Virginia Board's Order are as follows:

19 14. During the course of her employment with Carilion Clinic Roanoke Memorial
20 Hospital, Respondent administered 60 mg of Lovenox (enoxaparin) by injection to Patient A
21 without a physician's order. Furthermore, Respondent failed to document the administration in
22 Patient A's record, though she did report the error to her supervisor.

23 15. On or about February 9, 2011, Respondent failed to administer Patient B's 2:00 p.m.
24 dose of heparin as ordered. Respondent did not report his missed dose to Patient B's physician.
25 She advocated to the on-coming nurse to administer the patient's 2:00 p.m. dose at 5:00 p.m.,
26 stating that it could be given at that time. Ultimately, Patient B did not receive the 2:00 p.m. dose
27 on that date. On that same date, respondent failed to document administration of Keppra
28 (levetiracetam) at 3:00 p.m. to Patient C.

1 16. On or about January 27, 2011, Respondent failed to transfer Patient D in a timely
2 manner following an ordered Stat transfer to the intensive care unit for respiratory distress.

3 17. On or about February 16, 2011, Respondent discharged Patient E and indicated in his
4 medical record that the patient left the unit with a hospital transport to his home. Patient E did
5 not have a transport as Respondent had not arranged one for him. In addition, she charted on
6 February 16, 2011, that another nurse would be handling the discharge on the following day and
7 that she had notified Patient E's physician, which was false. Also, on the same day, while giving
8 a report on four individual patients, Respondent allowed a hospital visitor to view confidential
9 health information when she scrolled through patient records in full view of the visitor and
10 verbalized their content.

11 18. Respondent admitted each and every incident found in the Virginia Board's Consent
12 Order and waived her right to contest any of the findings in any subsequent proceeding before the
13 Board.

14 PRAYER

15 WHEREFORE, Complainant requests that a hearing be held on the matters alleged here,
16 and that following the hearing, the Board of Registered Nursing issue a decision:

17 1. Revoking or suspending Registered Nurse License Number 653688, issued to Leann
18 Rene Beverly a.k.a. Leann Beverly;

19 2. Ordering Leann Rene Beverly a.k.a. Leann Beverly to pay the Board of Registered
20 Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to
21 Business and Professions Code section 125.3;

22 3. Taking such other and further action as deemed necessary and proper.

23 DATED: March 13, 2013

24 *for* Grace Bailey
25 LOUISE R. BAILEY, M.ED., RN
26 Executive Officer
27 Board of Registered Nursing
28 Department of Consumer Affairs
State of California
Complainant