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JAN 02 2014

VIRGINIA:

BEFORE THE BOARD OF NURSING

VA BD OF NURSING

IN RE: **KEITH OTIS ADAMS, R.N.**
License No.: 0001-197873

CONSENT ORDER

The Virginia Board of Nursing ("The Board") and Keith Otis Adams, R. N., as evidenced by their signatures affixed below, agree to enter into this Consent Order affecting the license of Mr. Adams to practice nursing in the Commonwealth of Virginia.

FINDINGS OF FACT

The Board adopts the following findings of fact in this matter:

1. Keith Otis Adams, R.N., was issued license number 0001-197873 by the Board to practice nursing in the Commonwealth of Virginia on August 17, 2005. Said license is active and will expire on January 31, 2014, unless renewed or otherwise restricted. Mr. Adams' primary state of residence is Virginia. Mr. Adams holds the following additional licenses to practice professional nursing: License No. RN134189 issued by the state of Georgia, which expires on January 31, 2015; License No. RN41773 issued by the state of Rhode Island, which expired March 1, 2006; License No. 130493 issued by the state of Tennessee, which expired on January 31, 2004; License No. 75907 issued by the state of South Carolina, which expired January 31, 2003; License No. 663828 issued by the state of Texas, which expired January 31, 2002; License No. 099007772RN issued by the state of Oregon, which expired January 11, 2002; License No. RN110375 issued by the state of Arizona, which expired February 1, 2002; and License No. R031551 issued by the state of South Dakota, which expired January 12, 2002.
2. By Order entered September 30, 2010, the Virginia Board of Nursing reprimanded Mr. Adams' license to practice nursing. This action was based upon Mr. Adams' violation of § 54.1-

3007(5) of the Code of Virginia in that, on or about October 6, 2009, during the course of his employment in the Emergency Room of Bon Secours Memorial Regional Medical Center (“BSMRMC”), Mechanicsville, Virginia, Mr. Adams failed to report to the primary nurse that a patient was transported to the BSMRMC from a nursing home; after he had received and triaged the patient. Further, when providing report to the primary nurse, he failed to inform her that the patient was transported from a nursing home. He approved the primary nurse’s request to discharge the patient by taxi to an address provided by the patient. When the primary nurse reported her mistake to Mr. Adams, he told her not to worry about it as the cab driver would see that the patient got where he needed to go. As a result, the patient was left at a house without electricity and running water for two days and while the patient suffered no ill effects, he went without critical medications for the time he was away from the nursing home.

3. By Default Decision and Order effective on December 6, 2013, the State of California Board of Registered Nursing (“California Board”) revoked the license of Keith Otis Adams, R.N. This action was based solely on the Virginia Board’s Order entered September 30, 2010.

4. By Order entered January 28, 2014, the Director of the Department of Health Professions mandatorily suspended Mr. Adams’ license pursuant to Section 54.1-2409 of the Code due to the action of the California Board.

CONCLUSIONS OF LAW

This matter of the reinstatement of Mr. Adams’ license to practice nursing in the Commonwealth of Virginia is properly before the Board.

CONSENT

I, Keith Otis Adams, R.N., by affixing my signature hereto, acknowledge that:

1. I have been advised specifically to seek the advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me, except pursuant to the Virginia Administrative Process Act, § 2.2-4000.A et seq. of the Code of Virginia;
3. I have the following rights, among others:
 - a. the right to an informal conference before the Board; and
 - b. the right to appear in person or by counsel, or other qualified representative before the agency.
4. I waive all rights to an informal conference;
5. I admit the truth of the above Findings of Fact; and
6. I consent to the following Order affecting my license to practice nursing in the Commonwealth of Virginia.

ORDER

WHEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, and with the consent of the licensee, it is hereby ORDERED that the license of Keith Otis Adams, R.N., to practice nursing in the Commonwealth of Virginia, be, and hereby is, REINSTATED effective January 28, 2014.

Mr. Adams shall maintain a course of conduct in his practice of nursing commensurate with the requirements of Title 54.1, Chapter 29 of the Code and all laws of the Commonwealth.

Pursuant to Section 54.1-2400.2 of the Code, the signed original of this Consent 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.

FOR THE BOARD:

Jane R. Ingalls
Jane R. Ingalls, R.N., Ph. D.
President, Virginia Board of Nursing

ENTERED: Jan. 28, 2014

SEEN AND AGREED TO:

Keith Otis Adams R.N.
Keith Otis Adams, R.N.

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

Subscribed and sworn to before me, the undersigned Notary Public, in and for the Commonwealth of Virginia, at large, this 2nd day of January, ²⁰¹⁴2013, by Keith Otis Adams, R.N.



Laurie Leigh Cahoon
Notary Public

Registration Number: 7096507

My commission expires: 12-31-15

Certified True Copy
By d.raham
Virginia Board of Nursing

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

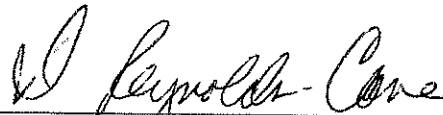
IN RE: KEITH OTIS ADAMS, R.N.
License No.: 0001-197873

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 the State of California Board of Registered Nursing revoked the license of Keith Otis Adams, R.N., to practice nursing in the State of California by Default Decision and Order effective December 6, 2013. A certified copy of the Default Decision and Order is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

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 license of Keith Otis Adams, R.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

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: _____

1-28-14



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 Default Decision and Order effective December 6, 2013, regarding Keith Otis Adams, R.N., are true copies of the records received from the State of California Board of Registered Nursing.

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

Date: 1-28-14

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

In the Matter of the Accusation Against:

KEITH OTIS ADAMS
aka **KEITH ADAMS**
7824 Winding Ash Terrace
Chesterfield, VA 23832

5066 Old Traveller Ln
Mechanicsville, VA 23111

Registered Nurse License No. 576459

RESPONDENT

Case No. 2013-1183

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about June 11, 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. 2013-1183 against Keith Otis Adams, aka Keith Adams (Respondent) before the Board of Registered Nursing. (Accusation attached as Exhibit A.)

2. On or about January 30, 2001, the Board of Registered Nursing (Board) issued Registered Nurse License No. 576459 to Respondent. The Registered Nurse License expired on February 28, 2007 and has not been renewed.

3. On or about June 11, 2013, Respondent was served by Certified and First Class Mail copies of the Accusation No. 2013-1183, 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:

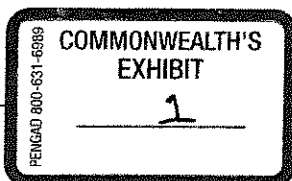
7824 Winding Ash Terrace
Chesterfield, VA 23832.

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

REGISTERED NURSING PROGRAM

Louise R. Bailey, M.Ed., RN
Louise R. Bailey, M. ED., RN

1



1 On or about June 11, 2013, Respondent was also served by Certified and First Class Mail
2 copies of the Accusation No. 2013-1183, Statement to Respondent, Notice of Defense, Request
3 for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to:

4 5066 Old Traveller Ln
5 Mechanicsville, VA 23111.

6 4. Service of the Accusation was effective as a matter of law under the provisions of
7 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
8 124.

9 5. On or about June 25, 2013 and July 3, 2013, the aforementioned documents addressed
10 to 7824 Winding Ash Terrace, Chesterfield, VA 23832 were returned by the U.S. Postal Service,
11 marked "Return to Sender, Vacant, Unable to Forward, Attempted Not Known." On or about June
12 20, 2103, the domestic return receipt addressed to 5066 Old Traveller Ln, Mechanicsville, VA
13 23111 was returned by the U S Postal Service indicating that the aforementioned documents were
14 received by Keith Adams on June 14, 2013.

15 6. Business and Professions Code section 2764 states:

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

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

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

25 8. Respondent failed to file a Notice of Defense within 15 days after service of
26 the Accusation upon him, and therefore waived his right to a hearing on the merits of Accusation
27 No. 2013-1183.

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

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

4 10. Pursuant to its authority under Government Code section 11520, the Board after
5 having reviewed the proof of service dated June 11, 2013, signed by Kami Pratab, and the
6 returned envelopes and domestic return receipt finds, Respondent is in default. The Board will
7 take action without further hearing and, based on Accusation No. 2013-1183 and the documents
8 contained in Default Decision Investigatory Evidence Packet in this matter which includes:

9 Exhibit 1: Pleadings offered for jurisdictional purposes; Accusation Case No. 2013-
10 1183, Statement to Respondent, Notice of Defense (two blank copies),
11 Request for Discovery and Discovery Statutes (Government Code sections
12 11507.5, 11507.6 and 11507.7), proof of service; and if applicable, mail
13 receipt or copy of returned mail envelopes;

14 Exhibit 2: License History Certification for Keith Otis Adams, aka Keith Adams,
15 Registered Nurse License No. 576459;

16 Exhibit 3: Affidavit of Kami Pratab;

17 Exhibit 4: Out of State Discipline (Virginia Board of Nursing);

18 Exhibit 5: Declaration of costs by Office of the Attorney General for prosecution of
19 Case No. 2013-1183.

20 The Board finds that the charges and allegations in Accusation No. 2013-1183 are separately and
21 severally true and correct by clear and convincing evidence.

22 11. Taking official notice of Certification of Board Costs and the Declaration of Costs by
23 the Office of the Attorney General contained in the Default Decision Investigatory Evidence
24 Packet, pursuant to the Business and Professions Code section 125.3, it is hereby determined that
25 the reasonable costs for Investigation and Enforcement in connection with the Accusation are
26 \$495.00 as of July 24, 2013.

27 //

28 //

1 DETERMINATION OF ISSUES

2 1. Based on the foregoing findings of fact, Respondent Keith Otis Adams, aka Keith
3 Adams has subjected his following license(s) to discipline:

4 a. Registered Nurse License No. 576459

5 2. The agency has jurisdiction to adjudicate this case by default.

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

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

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ORDER

IT IS SO ORDERED that Registered Nurse License No. 576459, heretofore issued to Respondent Keith Otis Adams, aka Keith Adams, 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 DECEMBER 6, 2013.

It is so ORDERED NOVEMBER 6, 2013



Board of Registered Nursing
Department of Consumer Affairs
State of California

Attachment:

Exhibit A: Accusation No. 2013-1183

Exhibit A

Accusation No. 2013-1183

1 KAMALA D. HARRIS
Attorney General of California
2 DIANN SOKOLOFF
Supervising Deputy Attorney General
3 KIM M. SETTLES
Deputy Attorney General
4 State Bar No. 116945
1515 Clay Street, 20th Floor
5 P.O. Box 70550
Oakland, CA 94612-0550
6 Telephone: (510) 622-2138
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**

12 In the Matter of the Accusation Against:

Case No. 2013-1183

13 **KEITH OTIS ADAMS, aka KEITH**
14 **ADAMS**
15 **7824 Winding Ash Terrace**
16 **Chesterfield, VA 23832**

ACCUSATION

17 **Registered Nurse License No. 576459**

18 Respondent.

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 January 30, 2001, the Board of Registered Nursing issued Registered
25 Nurse License Number 576459 to Keith Otis Adams, aka Keith Adams (Respondent). The
26 Registered Nurse License expired on February 28, 2007, and has not been renewed.

27 **JURISDICTION**

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

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

5 5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license
6 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the
7 licensee or to render a decision imposing discipline on the license.

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

11 STATUTORY PROVISIONS

12 7. Section 2761 of the Code states:

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

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

16 ...

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

22 COST RECOVERY

23 8. Business and Professions Code section 125.3 of the Code provides, in pertinent part,
24 that the Board may request the administrative law judge to direct a licentiate found to have
25 committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable
26 costs of the investigation and enforcement of the case, with failure of the licentiate to comply
27 subjecting the license to not being renewed or reinstated. If a case settles, recovery of
28 investigation and enforcement costs may be included in a stipulated settlement.

1 CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct - Out of State Discipline)

3 9. Respondent has subjected his license to disciplinary action under Code section 2761,
4 subdivision (a)(4), in that on or about September 30, 2010, in a disciplinary action before the
5 Virginia State Board of Nursing (Virginia Board), the Virginia Board entered an Order to issue an
6 official letter of reprimand against Respondent's Virginia registered nurse license, effective on or
7 about September 30, 2010. The official letter of reprimand required Respondent maintain a
8 course of conduct as a professional nurse in accordance with sections 54.1-3000 *et seq.* of the
9 Code of Virginia and the Virginia Board of Nursing regulations.

10 10. The circumstances of the Virginia Board's Order are that on or about October 6,
11 2009, while employed as a registered nurse in the Emergency Room of Bon Secours Memorial
12 Regional Medical Center (BSMRMC), in Mechanicsville, Virginia, Respondent failed to practice
13 nursing in accordance with the legal standards of nursing practice, as follows:

14 a. Failed to report to the primary nurse that Patient A was transported to
15 BSMRMC from Ashland Convalescent Center (ACC), a nursing home, after Respondent had
16 received and triaged the patient.

17 b. Improperly advised the primary nurse to discharge Patient A, knowing that the
18 patient was to be transported by taxi to a private address provided by the patient, instead of
19 returning Patient A to ACC.

20 c. Improperly dismissed the primary nurse's concern once it was realized that
21 Patient A was discharged and transported by taxi to a private address provided by the patient,
22 instead of returning Patient A to ACC. In fact, the taxi dropped Patient A off at a house without
23 electricity and water. Despite the fact that Patient A suffered no ill effects, Patient A remained at
24 the house for two days without receiving the critical medications that would have been
25 administered to the patient at ACC.


26 PRAYER

27 WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this
28 Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

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1. Revoking or suspending Registered Nurse License Number 576459, issued to Keith Otis Adams, aka Keith Adams;
2. Ordering Keith Otis Adams, aka Keith Adams to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

DATED: June 11, 2013


LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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