

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: KATHERINE D. CHILDRESS WATSON, L.P.N. REINSTATEMENT APPLICANT
License No.: 0002-063513

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on July 19, 2012, in Henrico County, Virginia, to receive and act upon Katherine D. Childress Watson's application for reinstatement of her license to practice practical nursing in Virginia, and to inquire into evidence that Ms. Watson may have violated certain laws and regulations governing nursing practice in Virginia. The case was presented by Cynthia E. Gaines, Adjudication Specialist, Administrative Proceedings. Howard M. Casway, Senior Assistant Attorney General, was present as legal counsel for the Board. Ms. Watson was present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Katherine Childress Watson, L.P.N., was issued License No. 0002-063513 to practice practical nursing in the Commonwealth of Virginia on October 15, 2002. Said license was mandatorily suspended pursuant to § 54.1-2409 of the Code by Order of the Department of Health Professions entered on January 31, 2008, as a result of her conviction on January 14, 2008 of four felony counts of obtaining drugs by fraud in the Circuit Court of New Kent County, Virginia.
2. Ms. Watson submitted an application for reinstatement of her license to practice practical nursing which was received by the Board on March 22, 2012.
3. On January 14, 2008, Ms. Watson was convicted of four felony counts of obtaining drugs by

fraud in the Circuit Court of New Kent County, Virginia.

4. On May 26, 2010, Ms. Watson was convicted of one count of bad check and two counts of uttering, and on March 29, 2010, she was convicted of three counts of worthless check, all felonies, in the Circuit Court of Hanover County, Virginia.

5. On March 4, 2010, Ms. Watson was convicted of obtaining money or property by false pretenses, a felony, in the Circuit Court of the County of Henrico, Virginia.

6. On May 6, 2007, May 17, 2007, and May 20, 2007, by her own admission, during the course of her employment with Cardiovascular Associates of Virginia ("Cardiovascular Assoc."), Richmond, Virginia, Ms. Watson wrote prescriptions for narcotic medications for her husband on a prescription pad she had obtained from the office.

7. During the course of her employment Ms. Watson provided Cardiovascular Assoc. with a forged document from the Virginia Department of Health ("DOH") identifying her as an instructor of Advanced Cardiac Life Support ("ACLS"), when, in fact DOH does not issue such certificates. Further, in 2007, Ms. Watson instructed the Cardiovascular Assoc. staff in ACLS, when she had not been trained to do so.

8. Ms. Watson has previously been diagnosed with post-traumatic stress disorder, anxiety, suicide ideation and bereavement. On April 10, 2012, Ms. Watson entered into a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP"). A HPMP compliance report dated July 18, 2012, indicates that Ms. Watson entered into a Recovery Monitoring contract on July 16, 2012. Ms. Watson's random urine screens have been negative, she attends individual therapy twice a month, and will see a psychiatrist for the second part of her assessment on July 24, 2012. A preliminary report dated June 17, 2012, from the evaluating psychiatrist indicated that she was not suicidal.

9. Ms. Watson acknowledged being clinically depressed and has significant health issues. Ms. Watson testified that she takes full responsibility for all her unprofessional acts.

CONCLUSIONS OF LAW

The Board concludes that:

1. Findings of Fact Nos. 3 through 5 constitute a violation of § 54.1-3007(4) of the Code.
2. Finding of Fact No. 6 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(c) and (e) of the Regulations Governing the Practice of Nursing ("Regulations").
3. Finding of Fact No. 7 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-20-300(A)(2)(b) and (e) of the Regulations.
4. Finding of Fact No. 8 constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. The application of Katherine D. C. Watson for reinstatement of License No. 0002-063513 to practice practical nursing in the Commonwealth of Virginia is hereby DENIED, due to a failure to obtain the affirmative vote for reinstatement of three-fourths of the members of the Board at the hearing. Further, it is hereby ORDERED that the license of Ms. Watson be CONTINUED on INDEFINITE SUSPENSION.
2. The license of Ms. Watson will be recorded as SUSPENDED. Should Ms. Watson seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license privilege prior to issuance of her license to resume practice.
3. At such time as she shall petition the Board for reinstatement of her license, a hearing will be convened to determine whether she is able to return to the safe and competent practice of practical nursing.
4. This Order shall be applicable to Watson's multistate licensure privileges, if any, to practice practical nursing in the Commonwealth of Virginia.
5. Said suspension shall be STAYED contingent upon the condition that Ms. Watson remains compliant with the terms of a Recovery Monitoring Contract with the HPMP and the following terms and

conditions:

a. Ms. Watson shall comply with all terms and conditions 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. Watson, and an administrative proceeding shall be held to decide 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. Watson is not in compliance with the terms and conditions specified by the HPMP, or has been terminated from participation in the HPMP, or

ii. There is a pending investigation or unresolved allegation involving a violation of law, regulation or any term or condition of this Order.

c. Ms. Watson shall provide the Board with evidence of completion of 15 contact hours of continuing education.


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

7. This Order shall be applicable to Ms. Watson's multistate licensure privileges, if any, to practice practical nursing in the Commonwealth of Virginia. It is further ordered that for the duration of this Order, Ms. Watson 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 she wishes to work.

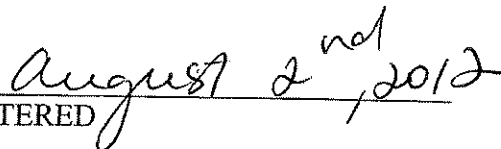
9. Ms. Watson shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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 on request.

FOR THE BOARD



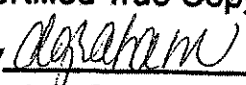
Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director
Virginia Board of Nursing



ENTERED

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with 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. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy
By 

Virginia Board of Nursing