

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: MARILYN BUTTS, R.N.
License No.: 0001-126959

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Marilyn Butts, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Butts' license to practice nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Marilyn Butts, R.N., was issued License No. 0001-126959 to practice professional nursing by the Virginia Board of Nursing on March 27, 1992. Said license is set to expire on September 30, 2015. Her primary state of residence is Virginia.
2. On April 30, 2013, during the course of her employment with Central State Hospital, Petersburg, Virginia, Ms. Butts failed to perform 15 minute restraint checks and hourly assessments on a patient who was in 4-point restraints. Ms. Butts falsely documented in the patient's chart that she conducted the required checks and assessments.
3. As a result of this incident, Ms. Butts' employment was terminated on May 21, 2013.

CONCLUSIONS OF LAW

Finding of Fact No. 2 constitutes a violation of §54.1-3007(2), (5), and (8) of the Code of Virginia (1950), as amended ("Code"), and 18 VAC 30-20-300(A)(2)(e) and (f) of the Regulations Governing the Practice of Nursing.

CONSENT

Marilyn Butts, 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 an informal fact finding conference 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 an informal conference;
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 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. Marilyn Butts, R.N., is hereby REPRIMANDED.
2. Ms. Butts 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.

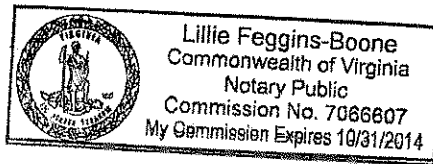
FOR THE BOARD:

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

ENTERED: December 9th, 2013

SEEN AND AGREED TO:

Marilyn Butts
MARILYN BUTTS, R.N.



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

Subscribed and sworn to before me, Lillie Feggins-Boone Notary Public, this 21st day of November, 2013.

My commission expires 01 31 2014.

Registration Number 7066607.

Lillie Feggins-Boone
NOTARY PUBLIC

Certified True Copy

By [Signature]
Virginia Board of Nursing