

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       KELLI L. SAXTON, R.N.  
              License No.: 0001-213096**

**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 May 18, 2015, in Henrico County, Virginia, to inquire into evidence that Kelli L. Saxton, R.N. may have violated certain laws and regulations governing nursing practice in Virginia and certain terms and conditions imposed on her, as set forth in the Order of the Board entered on December 4, 2013 ("Board's Order"). The case was presented by Amy E. Weiss, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Saxton was not 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. Kelli L. Saxton, R.N. was issued License No. 0001-213096 to practice professional nursing by the Virginia Board of Nursing on June 20, 2008. Said license is set to expire on July 31, 2015. She holds expired licenses in Florida, Massachusetts, Minnesota, and the Virgin Islands. Ms. Saxton's primary state of residence is Virginia.
2. Based upon the representations of Amy Weiss, Adjudication Specialist, and Commonwealth's Exhibit #1, the Notice of Formal Hearing, Statement of Particulars and Amended Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in her absence.
3. By Order of the Board of Nursing entered December 4, 2013 ("Board's Order"), the Board

took no action against Ms. Saxton's license contingent upon her entry into and compliance with the Health Practitioners' Monitoring Program ("HPMP").

4. Ms. Saxton signed a Participation Contract with the HPMP on February 24, 2014. She failed to attend orientation as scheduled on April 7, 2014, and failed to attend again when it was rescheduled to April 21, 2014 and again to May 5, 2014. Ms. Saxton failed to respond to HPMP communications after April 22, 2014.

5. At the time she enrolled in the HPMP, Ms. Saxton received treatment at the Virginia Beach Community Services Board, which included individual therapy, weekly anxiety group therapy, and psychiatric treatment. Ms. Saxton stopped attending treatment after April 8, 2014, and, as a result, she was dismissed from services for noncompliance on April 29, 2014.

6. As a result of her failure to comply with the terms of the HPMP, Ms. Saxton was dismissed from the program on May 16, 2014.

7. Ms. Saxton told an investigator from the Department of Health Professions ("DHP") that she had not worked as a nurse since June 2013, but she would like to work in nursing again one day.

8. Ms. Saxton told the DHP investigator that she planned to re-enroll in the HPMP, but to date, Ms. Saxton has not done so.

### CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 6 constitutes a violation of Term 1 of the Board's Order entered December 4, 2013, and § 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. License No. 0001-213096 issued to Kelli L. Saxton, R.N., to practice professional nursing in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED for a period of not less than two years.

2. The license of Kelli L. Saxton, R.N. will be recorded as **SUSPENDED** and no longer current. Should Ms. Saxton 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 prior to issuance of her license to resume practice.

3. At such time as Ms. Saxton shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of professional nursing.

4. This Order shall be applicable to Ms. Saxton's multistate licensure privileges, if any, to practice professional nursing.

5. Kelli L. Saxton, R.N. is hereby **REPRIMANDED**.

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*  
per *Clarissa Mitchell-Simley*  
Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director  
Virginia Board of Nursing

*June 24, 2015*  
ENTERED

Certified True Copy

By *dpaham*  
Virginia Board Of Nursing

**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, MSM, RN, CSAC, FRE, 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.