

Certified True Copy

By 
Virginia Board of Nursing



RECEIVED

OCT 31 2013

VA BD 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

October 30, 2013

Keri Dedra Dellinger-Gomez
405 Buckroe Avenue
Hampton, VA 23664

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL

DATE 10/30/13

RE: License No.: 0001-218378

Dear Ms. Dellinger-Gomez:

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 October 30, 2013. 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,

Arne W. Owens, Chief Deputy Director
Department of Health Professions

Enclosures
Case # 150502

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: KERI DEDRA DELLINGER-GOMEZ, R.N.
License Number: 0001-218378

ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Arne W. Owens, Chief Deputy Director of the Virginia Department of Health Professions, received and acted upon evidence that the license of Keri Dedra Dellinger-Gomez, R.N., to practice as a registered nurse in the State of Florida was suspended by a Final Order entered October 16, 2013. A certified copy of the Final 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 privilege of Keri Dedra Dellinger-Gomez, R.N., to renew her license to practice as a professional nurse in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Keri Dedra Dellinger-Gomez, R.N., will be recorded as suspended. Should Ms. Dellinger-Gomez 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.



Arne W. Owens, Chief Deputy Director
Department of Health Professions

ENTERED: 10-30-2013



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

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CERTIFICATION OF DUPLICATE RECORDS

I, Arne W. Owens, Chief Deputy Director of the Department of Health Professions, hereby certify that the attached Final Order entered October 16, 2013, regarding Keri Dedra Dellinger-Gomez, R.N., is a true copy of the records received from the State of Florida Board of Nursing.


Arne W. Owens

Date: 10-30-2013

FILED DA. OCT 17 2013,
Department of Health

STATE OF FLORIDA
BOARD OF NURSING

By [Signature]
Deputy Agency Clerk

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2012-10336

License No.: RN 9236218

KERI DEDRA DELLINGER,

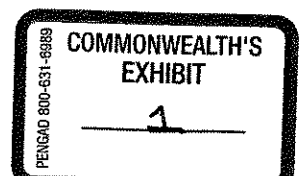
Respondent.

FINAL ORDER

THIS CAUSE came before the BOARD OF NURSING (Board) pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on October 4, 2013, 2013, in Naples, Florida, for the purpose of considering a settlement agreement (attached hereto as Exhibit A) entered into between the parties in this cause. Upon consideration of the settlement agreement, the documents submitted in support thereof, the arguments of the parties, and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that the settlement agreement as submitted be and is hereby approved and adopted in toto and incorporated herein by reference. The costs are \$7,376.27. Accordingly, the parties shall adhere to and abide by all the terms and conditions of the settlement agreement.

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.



DONE AND ORDERED this 16 day of October, 2013.

BOARD OF NURSING

William E. Spooner for

JOE R. BAKER, JR.
Executive Director for
Lavigne A. Kirkpatrick, BS,
RN, Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to KERI DEDRA DELLINGER, 21 North Dr., Shalimar, FL 32579; and IPN, P.O. Box 49130, Jacksonville FL 32240; and by interoffice delivery to and by interoffice delivery to Lee Ann Gustafson, Senior Assistant Attorney General, Department of Legal Affairs, PL-01 The Capitol, Tallahassee FL 32399-1050, Yolonda Green, Assistant General Counsel, Department of Health, 4052 Bald Cypress Way, Bin C-65, Tallahassee, Florida 32399-3265 this 17th day of October, 2013.

Brygel Sanders

Deputy Agency Clerk

7012 3460 0000 4256 3320

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO.: 2012-10336

KERI DEDRA DELLINGER, R.N.,

RESPONDENT.

SETTLEMENT AGREEMENT

Pursuant to Section 120.57(4), Florida Statutes, the above named parties hereby offer this Settlement Agreement (Agreement) to the Board of Nursing as disposition of the Administrative Complaint, attached hereto as Exhibit "A", in lieu of any other administrative proceedings. The terms herein become effective only if and when a Final Order accepting this Agreement is issued by the Board and filed with the Agency Clerk. In considering this Agreement, the Board may review all materials gathered during the investigation of this case. If this Agreement is rejected, it, and its presentation to the Board, shall not be used against either party.

STIPULATED FACTS

1. Respondent is a **registered nurse** in the State of Florida holding license number **RN 9236218**.
2. Respondent is charged by an Administrative Complaint filed by the Department and properly served upon Respondent with violations of Chapters 456 and/or 464, Florida Statutes. A true and correct copy of the Administrative Complaint is attached hereto and incorporated by reference as Exhibit A.
3. Respondent neither admits nor denies the factual allegations contained in the Administrative Complaint.

STIPULATED LAW

1. Respondent admits that she is subject to the provisions of Chapters 456 and 464, Florida Statutes, and the jurisdiction of the Department and the Board.
2. Respondent admits that the stipulated facts, if proven true, constitute violations of law as alleged in the Administrative Complaint.

3. Respondent admits that the Agreement is a fair, appropriate, and reasonable resolution of this pending matter.

PROPOSED DISPOSITION

1. The Respondent must pay investigative costs not to exceed **SEVEN THOUSAND EIGHT HUNDRED TWENTY ONE DOLLARS AND SIXTY CENTS (\$7,821.60)** within **EIGHT (8) years** from the date of entry of the Final Order. Payment shall be made to the Board of Nursing and mailed to, DOH-Compliance Management Unit, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3276, Attention: Nursing Compliance Officer.

Payment must be made by cashier's check or money order ONLY.

Personal checks will **NOT** be accepted.

2. The license of **KERI DEDRA DELLINGER, R.N.**, is suspended until Respondent undergoes an evaluation coordinated by the Intervention Project for Nurses (IPN), and complies with any and all terms and conditions imposed by IPN as a result of said evaluation. It is the duty of the Respondent to contact IPN at P.O. Box 49130, Jacksonville Beach, Florida 32240-9130, (904) 270-1620 within 30 days. If the Respondent is not in

need of monitoring or treatment and IPN is not suitable, no further action will be required.

3. If the Respondent is in need of monitoring or treatment, the Respondent shall comply with all conditions of the IPN Advocacy Contract or she will be in violation of the Final Order accepting this Settlement Agreement.

4. Termination from IPN shall result in the immediate lifting of the stay of suspension. Reinstatement will require compliance with all terms and conditions set forth in any previous Final Order issued by the Board and appearance before the Board to demonstrate present ability to engage in the safe practice of nursing. The Board reserves the right to impose reasonable conditions of reinstatement at the time the Respondent appears before the Board to demonstrate the present ability to engage in the safe practice of nursing.

5. The Respondent shall not violate Chapter 456 or 464, Florida Statutes, the rules promulgated pursuant thereto, any other state or federal law, rule, or regulation relating to the practice or the ability to practice

nursing. Violation of an order from another state/jurisdiction shall constitute grounds for violation of the Final Order accepting this Settlement Agreement.

6. It is expressly understood that this Settlement Agreement is subject to the approval of the Department and the Board, and has no force and effect until a Final Order is entered accepting this Settlement Agreement.

7. This Settlement Agreement is executed by the Respondent for the purpose of avoiding further administrative action by the Board of Nursing regarding the acts or omissions specifically set forth in the Administrative Complaint attached hereto. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to, or in conjunction with, consideration of the Agreement. Furthermore, should this Settlement Agreement not be accepted by the Board, it is agreed that presentation to, and consideration of, this Settlement Agreement and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings. Respondent shall offer no evidence, testimony or argument that disputes or contravenes any stipulated fact or conclusion of law.

8. Respondent and the Department fully understand that this Settlement Agreement and subsequent Final Order incorporating same will in no way preclude additional proceedings by the Board and/or Department against the Respondent for acts or omissions not specifically set forth in the Administrative Complaint attached hereto. This Agreement relates solely to the current disciplinary proceedings arising from the above-mentioned Administrative Complaint and does not preclude further action by other divisions, departments, and/or sections of the Department, including but not limited to the Agency for Health Care Administration's Medicaid Program Integrity Office.

9. The Respondent waives the right to seek any attorney's fees or costs from the Department in connection with this disciplinary proceeding.

10. Respondent waives all rights to appeal and further review of this Agreement and these proceedings.

WHEREFORE, the parties hereto request the Board enter a Final Order accepting and implementing the terms of the Settlement Agreement contained herein. ^{R/E} (certified mail # 7196 9008 9111 93265092)

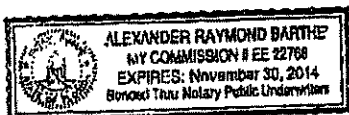
SIGNED this 1st day of July, 2013.


KERI DEDRA DELLINGER, R.N.

STATE OF FLORIDA
COUNTY OF OKALOOSA

Before me personally appeared Keri A. Dellinger whose identity is known to be by US Military dependent ID (type of identification), and who under oath, acknowledges that his/her signature appears above. Sworn to and subscribed by Respondent before me this 1st day of July, 2013.


Notary Public
My Commission Expires:



APPROVED this 14th day of August, 2013.

John H. Armstrong, MD, FACS
State Surgeon General and Secretary of Health



KRISTAL BEHARRY

Assistant General Counsel

FBN: **0078070**

Department of Health

Prosecution Services Unit

4052 Bald Cypress Way, BIN #C-65

Tallahassee, Florida 32399-3265

Telephone (850) 245-4444 ext. 8218

Facsimile (850) 245-4683

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2012-10336

KERI DEDRA DELLINGER, R.N.,

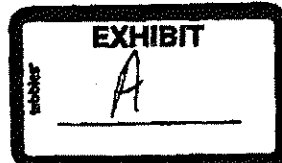
RESPONDENT.

ADMINISTRATIVE COMPLAINT

COMES NOW, Petitioner, Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Nursing against Respondent, Keri Dedra Dellinger, R.N., and in support thereof alleges:

1. Petitioner is the state agency charged with regulating the practice of nursing pursuant to Section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 464, Florida Statutes.

2. At all times material to this Complaint, Respondent was a registered nurse (R.N.) within the state of Florida, having been issued license number RN 9236218.



3. Respondent's address of record is 21 North Drive, Shallimar, Florida 32579.

4. At all times material to this Administrative Complaint, Respondent was licensed to practice as a registered nurse in the State of Florida pursuant to Chapter 464, Florida Statutes (2012).

5. On or about July 9, 2012, Respondent was admitted to Twelve Oaks Drug and Alcohol Treatment Center ("Twelve Oaks").

6. On or about July 10, 2012, Respondent chose to leave treatment at Twelve Oaks against the recommendations of the treatment team. Therapeutic recommendations noted on Respondent's discharge paperwork from Twelve Oaks included immediate participation in recovery meetings with Alcoholics Anonymous and Narcotics Anonymous, weekly continuing care group, and a psychiatric appointment.

7. On or about July 10, 2012, the Okaloosa County Sheriff's Office reported to the residence of P.D., Respondent's mother, in response to an allegation of elderly abuse. Respondent was residing there and was helping care for P.D. Upon entering the residence, the reporting officer noted that there was trash, unwashed dishes present for more than two (2) weeks, and pills scattered on the living room table.

8. The reporting officer noted that Respondent had a "tool box" full of pills in her name, most of which were out of date. Additionally, the floor of the residence had dog urine and fecal matter that had been in place for a long time.

9. Respondent told the reporting officer that she wanted to have a supply of medications since she would soon be losing her insurance. Respondent also explained that she has fibromyalgia, which makes it difficult for her to keep the house clean and take care of her mother.

10. On or about July 12, 2012, Respondent was involuntarily admitted to Fort Walton Beach Medical Center ("FWBMC") for treatment.

11. On or about July 13, 2012, Respondent was discharged from FWBMC. Upon discharge, Respondent was instructed to follow up with her primary care provider and with mental health care, if desired. Respondent's attending physician, J.C., noted that "Certainly, counseling might be of benefit to her."

12. On or about October 24, 2012, Respondent advised the Department that the deplorable conditions at P.D.'s residence were present before she arrived. Respondent admits to "conserving" medications for her

neck and fibromyalgia pain, but stated that she has valid prescriptions for all of the medications.

13. On or about January 16, 2013, the Department ordered Respondent to submit to a mental and physical examination to determine her ability to practice nursing with reasonable skill and safety.

14. On or about March 1, 2013, Respondent submitted to the compelled mental and physical examination conducted by Dr. J.I., a specialist in addiction medicine.

15. Dr. J.I. noted that Respondent has developed a dependency on opioid preparations, as well as Xanax.

16. Opiate, or oploid, drugs have similar actions as the drug opium and are typically prescribed to treat pain. Even though opioid drugs are synthetically manufactured and opiate drugs are naturally occurring, the terms "opioid" and "opiate" are often used interchangeably. Opioid drugs are addictive and subject to abuse.

17. Xanax is the brand name for alprazolam and is prescribed to treat anxiety. According to Section 893.03(4), Florida Statutes (2012), alprazolam is a Schedule IV controlled substance that has a low potential for abuse relative to the substances in Schedule III and has a currently

accepted medical use in treatment in the United States, and abuse of alprazolam may lead to limited physical or psychological dependence relative to the substances in Schedule III.

18. Dr. J.I. also noted that the combination of opioid preparations and Xanax is clearly recognized to be overly sedating, impairing focus and concentration, potentially addictive, and not infrequently lethal in overdose.

19. Dr. J.I. opined that Respondent is not safe to practice nursing with reasonable skill and safety at this time.

20. Section 464.018(1)(j), Florida Statutes (2012), subjects a licensee to discipline, including suspension, for being unable to practice nursing with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, or chemicals, or any other type of material, or as a result of any mental or physical condition.

21. As set forth above, Respondent is unable to practice nursing with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, or chemicals or any other type of material or as a result of any mental or physical condition. On or about March 1, 2013, a specialist in addiction medicine determined that Respondent is not safe to

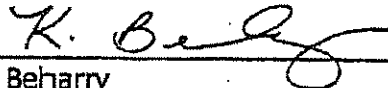
practice nursing with reasonable skill and safety due to her dependence on opioid preparations and Xanax.

22. Based on the foregoing, Respondent violated Section 464.018(1)(j), Florida Statutes (2012), by being unable to practice nursing with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, or chemicals, or any other type of material, or as a result of any mental or physical condition.


WHEREFORE, the Petitioner respectfully requests that the Board of Nursing enter an order imposing one or more of the following penalties: permanent revocation or suspension of Respondent's license, restriction of practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, corrective action, refund of fees billed or collected, remedial education and/or any other relief that the Board deems appropriate.

SIGNED this 19th day of April, 2013.

John H. Armstrong, MD, FACS
State Surgeon General and
Secretary of Health



Kristal Beharry
Assistant General Counsel
DOH Prosecution Services Unit
4052 Bald Cypress Way, Bin C-65
Tallahassee, Florida 32399-3265
Florida Bar # 0078070
Telephone: (850) 245-4444
Facsimile: (850) 245-4683

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK: 
DATE: 4-19-13

/KB
PCP: 04/19/13
PCP Members: Horne and Kemp

NOTICE OF RIGHTS

Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested.

NOTICE REGARDING ASSESSMENT OF COSTS

Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to Section 456.072(4), Florida Statutes, the Board shall assess costs related to the investigation and prosecution of a disciplinary matter, which may include attorney hours and costs, on the Respondent in addition to any other discipline imposed.