

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: KELLY METTEE, L.P.N.
License No.: 0002-079471

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on September 11, 2014, in Henrico County, Virginia. Kelly Mettee, L.P.N., was not present nor was she represented by legal counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On November 19, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Mettee was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Kelly Mettee, L.P.N., was issued License No. 0002-079471 to practice practical nursing in Virginia on November 18, 2008. The license is scheduled to expire on April 30, 2015. Her primary state of residence is Virginia.

2. By letter dated August 14, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Mettee notifying her that an informal conference would be held on September 11, 2014. The Notice was sent by certified and first class mail to 198 S. Almond Street, Orange, Virginia 22960, the address of record on file with the Board of Nursing. The certified mail was returned to the Board office marked "unclaimed." The first class mail was not returned. The Agency

Subordinate concluded that adequate notice was provided to Ms. Mettee and the informal conference proceeded in her absence.

3. By Order of the Board entered October 8, 2013, Ms. Mettee was reprimanded and ordered to complete four NCSBN online courses within 60 days of the date of entry of the Order, based on findings that she entered into a non-therapeutic relationship with the father of one of her patients, she failed to properly document the administration of narcotics and she falsified several employment applications.

4. Ms. Mettee did not complete the NCSBN courses until September 6, 2014.

CONCLUSIONS OF LAW

Finding of Fact No. 4 constitutes a violation of Term No. 2 of the Order entered October 8, 2013.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

1. Kelly Mettee, L.P.N., is hereby REPRIMANDED.
2. Ms. Mettee 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 § 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.

Since Ms. Mettee failed to appear at the informal conference, this Order shall be considered final. Ms. Mettee has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Mettee has thirty (30) days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred

first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

FOR THE BOARD

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

Entered: *December 4, 2014*

Certified True Copy

By *U. Robinson-Houes*
Virginia Board of Nursing