

Certified True Copy

By Shane SC
Virginia Board of Nursing



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SEP 11 2014

VA BD OF NURSING

COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
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

September 10, 2014

Tracy Jean Keith
2820 Grant Road
Grant, FL 32949

CERTIFIED MAIL
DUPLICATE COPY
VIA FIRST CLASS MAIL

RE: License No.: 0001-243091

DATE 9/10/14

Dear Ms. Keith:

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 September 10, 2014. 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,

Jaime H. Hoyle, Esquire, Chief Deputy Director
Department of Health Professions

Enclosures
Case # 158367

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: TRACY JEAN KEITH, R.N.
License No.: 0001-243091

ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Jaime H. Hoyle, Esquire, Chief Deputy Director of the Virginia Department of Health Professions, received and acted upon evidence that the Arizona State Board of Nursing accepted the voluntary surrender, in lieu of further disciplinary action, from Tracy Jean Keith, R.N., of her license to practice nursing in the State of Arizona by a Consent for Entry of Voluntary Surrender Order dated August 28, 2014. A certified copy of the Consent for Entry of Voluntary Surrender 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 license of Tracy Jean Keith, R.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Tracy Jean Keith, R.N., will be recorded as suspended. Should Ms. Keith 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.



Jaime H. Hoyle, Esquire, Chief Deputy Director
Department of Health Professions

ENTERED: 9/10/2014



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

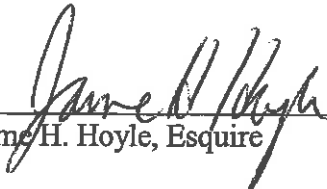
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CERTIFICATION OF DUPLICATE RECORDS

I, Jaime H. Hoyle, Esquire, Chief Deputy Director of the Department of Health Professions, hereby certify that the attached Consent for Entry of Voluntary Surrender Order dated August 28, 2014, regarding Tracy Jean Keith, R.N., is a true copy of the records received from the Arizona State Board of Nursing.



Jaime H. Hoyle, Esquire

Date: 9/10/2014

ARIZONA STATE BOARD OF NURSING
4747 North 7th Street, Suite 200
Phoenix, Arizona 85014-3655
602-771-7800

IN THE MATTER OF REGISTERED NURSE
LICENSE NO. RN184648
ISSUED TO:

TRACY JEAN KEITH,
RESPONDENT

CONSENT FOR ENTRY OF
VOLUNTARY SURRENDER
ORDER NO. 1405044

A complaint charging Tracy Jean Keith ("Respondent") with violation of the Nurse Practice Act has been received by the Arizona State Board of Nursing ("Board"). In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements, and the responsibilities of the Board, and pursuant to A.R.S. § 32-1605.01(D), Respondent voluntarily surrenders her license for a minimum of 5 years.

Based on the evidence before it, the Board makes the following Findings of Fact, Conclusions of Law:

FINDINGS OF FACT

1. Respondent holds Board issued registered nurse license no. RN184648.
2. On or about May 10, 2014, while an employee with American Traveler Staffing, and assigned to Northwest Medical Center in Tucson, AZ, Respondent appeared unresponsive and cyanotic in the facility cafeteria after having just completed working the night shift. Facility staff found the following individually wrapped single dose controlled and legend drugs in Respondent's pockets for which Respondent could not provide a prescription.

1. hydromorphone 4mg tablet, (Dilaudid) quantity 2; (an opioid pain medication)
2. lorazepam 0.5mg tablet, (Ativan) quantity 1; (a benzodiazepine medication)



3. hydrocodone 5mg/APAP 325, (Vicodin) quantity 1; (an opioid pain medication) ondansetron (Zofran), quantity 5; (an anti-nausea medication- Zofran were not individually wrapped)

3. On or about May 9th and 10th 2014, while on assignment at Northwest Medical Center in Tucson, AZ Respondent failed to properly document medication removed from the Pyxis as given, wasted or returned for patients K.E., J.H. and S.N. in breach of the standard of care. By failing to document controlled substances removed for patient administration, Respondent placed patients K.E., J.H., and S.N. at risk for adverse patient outcome related to multiple drug overdose.

4. Respondent has not provided the Board with a full written response to the allegations as required.

5. On or about August 28, 2014, 2014, Respondent requested to voluntarily surrender her license.

CONCLUSIONS OF LAW

Pursuant to A.R.S. §§ 32-1606, 32-1663, and 32-1664, the Board has subject matter and personal jurisdiction in this matter.

The conduct and circumstances described in the Findings of Fact constitute a violation of A.R.S. § 32-1663 (D) as defined in A.R.S. § 32-1601 (22) (effective August 2, 2012).

22. "Unprofessional conduct" includes the following whether occurring in this state or elsewhere:

(d) Any conduct or practice that is or might be harmful or dangerous to the health of a patient or the public.

(e) Being mentally incompetent or physically unsafe to a degree that is or might be harmful or dangerous to the health of a patient or the public.

(g) Willfully or repeatedly violating a provision of this chapter or a rule adopted pursuant to this chapter.

1 (h) Committing an act that deceives, defrauds, or harms the public.

2 (j) Violating this chapter or a rule that is adopted by the board pursuant to this chapter.

3 A.A.C. R4-19-403 (effective January 31, 2009).

4
5 For purposes of A.R.S. § 32-1601, any conduct or practice that is or might be harmful or dangerous to
6 the health of a patient or the public includes one or more of the following:

7 7. Failing to maintain for a patient a record that accurately reflects the nursing assessment, care,
8 treatment, and other nursing services provided to the patient;

9
10 b. Pertaining to obtaining, possessing, or administering any controlled substance as defined in the
11 federal Uniform Controlled Substances Act, 21 U.S.C. 801 et seq., or Arizona's Uniform Controlled
12 Substances Act, A.R.S. Title 36, Chapter 27;

13
14 9. Failing to take appropriate action to safeguard a patient's welfare or follow policies and
15 procedures of the nurse's employer designed to safeguard the patient;

16 16. Removing, without authorization, a narcotic, drug, controlled substance, supply, equipment, or
17 medical record from any health care facility, school, institution, or other work place location;

18
19 17. A pattern of using or being under the influence of alcohol, drugs, or a similar substance to the
20 extent that judgment may be impaired and nursing practice detrimentally affected, or while on duty in
21 any health care facility, school, institution, or other work location;

22
23 18. Obtaining, possessing, administering, or using any narcotic, controlled substance, or illegal
24 drug in violation of any federal or state criminal law, or in violation of the policy of any health care
25 facility, school, institution, or other work location at which the nurse practices;

26 25. Failing to:

27
28 a. Furnish in writing a full and complete explanation of a matter reported pursuant to A.R.S. § 32-
29 1664,

1 31. Practicing in any other manner that gives the Board reasonable cause to believe the health of a
2 patient or the public may be harmed.

3
4 The conduct and circumstances described in the Findings of Fact constitute sufficient cause
5 pursuant to A.R.S. §§ 32-1605.01(D) and 32-1664(N) to take disciplinary action against Respondent's
6 license to practice as a registered nurse in the State of Arizona.

7 Respondent admits the Board's Findings of Fact, Conclusions of Law.

8
9 In lieu of a formal hearing on these issues, Respondent agrees to issuance of the attached Order
10 and waives all rights to a hearing, rehearing, appeal or judicial review relating to this matter.

11 Respondent further waives any and all claims or causes of action, whether known or unknown, that
12 Respondent may have against the State of Arizona, the Board, its members, offices, employees and/or
13 agents arising out of this matter.
14

15 Respondent understands that all investigative materials prepared or received by the Board
16 concerning these violations and all notices and pleadings relating thereto may be retained in the
17 Board's file concerning this matter.
18

19 Respondent understands that the admissions in the Findings of Fact are conclusive evidence of
20 a violation of the Nurse Practice Act and may be used for purposes of determining sanctions in any
21 future disciplinary matter.
22

23 Respondent understands the right to consult legal counsel prior to entering into the Consent
24 Agreement and such consultation has either been obtained or is waived.

25 Respondent understands that this voluntary surrender is effective upon its acceptance by the
26 Executive Director or the Board and by Respondent as evidenced by the respective signatures thereto.
27 Respondent's signature obtained via facsimile shall have the same effect as an original signature.
28
29 Once signed by Respondent, the agreement cannot be withdrawn without the Executive Director or

1 the Board's approval or by stipulation between Respondent and the Executive Director or the Board.
2 The effective date of this Order is the date the Voluntary Surrender is signed by the Executive
3 Director or the Board and by Respondent. If the Voluntary Surrender is signed on a different date, the
4 later date is the effective date.
5

6 Respondent understands that Voluntary Surrender constitutes disciplinary action. Respondent
7 also understands that she may not reapply for re-issuance during the period of Voluntary Surrender.
8

9 Respondent agrees that she may apply for re-issuance after the period of voluntary surrender
10 under the following conditions, and must comply with current law at the time of their application for
11 re-issuance:

12 The application for re-issuance must be in writing and shall contain therein or have attached
13 thereto substantial evidence that the basis for the voluntary surrender has been removed and that the
14 re-issuance of the license does not constitute a threat to the public's health, safety and welfare. The
15 Board may require physical, psychological, or psychiatric evaluations, reports and affidavits regarding
16 Respondent as it deems necessary. These conditions shall be met before the application for re-
17 issuance is considered.
18
19



Tracy Jean Keith

Date: August 28, 2014

ARIZONA STATE BOARD OF NURSING

SEAL



Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director

Dated: August 27, 2014

14 AUG 28 PM 12:19

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3 ORDER

4 Pursuant to A.R.S. § 32-1605.01(D) the Board hereby accepts the Voluntary Surrender of
5 registered nurse license number RN18648 issued to Tracy Jean Keith. This Order of Voluntary
6 Surrender hereby entered shall be filed with the Board and shall be made public upon the effective
7 date of this Consent Agreement. Respondent shall not practice in Arizona under the privilege of a
8 multistate license.
9

10 IT IS FURTHER ORDERED that Respondent may apply for re-issuance of said license after a
11 period of 5 years.
12

13 SEAL

ARIZONA STATE BOARD OF NURSING

15 
16 Joey Ridenour, R.N., M.N., F.A.A.N.
17 Executive Director

18 Dated: August 28, 2014
19

20 JR/KH:ts
21

22
23 COPY mailed this 3rd day of September, 2014, by First Class Mail to:

24 Tracy Jean Keith
25 2820 Grant Road
26 Grant, FL 32949

27 By: T. Smith
28 Legal Secretary
29