

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: STEVA HAIRSTON, L.P.N.
LicenseNumber: 0002-068599
Case Number: 172920

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on July 18, 2016, in Henrico County, Virginia, to receive and act upon Steva Hairston's application for reinstatement of her license to practice practical nursing in the Commonwealth of Virginia.

Steva Hairston, L.P.N. appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated June 22, 2016, the Board of Nursing sent a Notice of Formal Hearing (“Notice”) to Ms. Hairston notifying her that a formal administrative hearing would be held on July 18, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT

1. On May 5, 2004, the Board of Nursing issued License Number 0002-068599 to Steva Hairston, L.P.N. to practice practical nursing in the Commonwealth of Virginia. Said license was mandatorily suspended by the Department of Health Professions on August 3, 2011. Her primary state

of residence is Virginia. Ms. Hairston submitted an application for reinstatement of her license to practice practical nursing, which was received by the Board on March 25, 2016.

2. On September 22, 2003, in the Circuit Court of Danville, Virginia, Ms. Hairston was convicted of grand larceny (welfare fraud), a felony. Said conviction formed the basis of the mandatory suspension of her license. Ms. Hairston was sentenced to five years, suspended upon serving ten months in the Danville City jail, and placed on twelve months supervised probation. Ms. Hairston was also ordered to make restitution in the amount of \$ 1,634.00 and pay court costs of \$800.00

3. On July 22, 2013, in the Circuit Court of Danville, Virginia, Ms. Hairston was sentenced for felony shoplifting and two counts of larceny. Ms. Hairston was sentenced to four years incarceration, with three years and six months suspended. Ms. Hairston was also ordered to make restitution in the amount of \$399.98 and pay court costs of \$1631.00. Ms. Hairston testified that she has not paid these costs.

4. On October 6, 2011, in the Circuit Court of Pittsylvania County, Virginia, Ms. Hairston was convicted of felony larceny, third offense. Ms. Hairston was sentenced to five years incarceration with three years and three months suspended. She was also placed on two years probation and ordered to pay court costs totaling \$445.00. Ms. Hairston testified that she has not paid these costs.

5. On February 28, 2003, in the Circuit Court of Danville, Virginia, Ms. Hairston was convicted of petit larceny, a misdemeanor. Ms. Hairston was sentenced to ten months in jail with eight months suspended and ordered to pay \$797.00 in court costs.

6. On September 4, 1990, in the Circuit Court of Danville, Virginia, Ms. Hairston was sentenced for two counts of grand larceny, thirty-three counts of forgery and five counts of credit card

fraud, all felonies, and one count of petit larceny, a misdemeanor. Ms. Hairston was sentenced to 20 years incarceration and ordered to make restitution in the amount of \$2345.54.

7. On the application for reinstatement of her license dated March 11, 2016, Ms. Hairston failed to disclose the following criminal convictions: September 4, 1990, for grand larceny and forgery; February 28, 2003, for petit larceny; September 22, 2003, for grand larceny; and July 22, 2013, for felony shoplifting.

8. Ms. Hairston told the Board that she is still currently serving a sentence and is in a work release program. She testified that she will be released from jail and begin probation on October 6, 2016.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 2-6 constitute a violation of Virginia Code § 54.1-3007(4).
2. Finding of Fact No. 7 constitutes a violation of Virginia Code § 54.1-3007(1) and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing.

ORDER


WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, ORDERS as follows:

1. Steva Hairston is REPRIMANDED.
2. The application of Steva Hairston for reinstatement of the license to practice practical nursing in the Commonwealth of Virginia is DENIED, due to a failure to obtain the affirmative vote for reinstatement of three-fourths of the members of the Board at the proceeding. Further, it is ORDERED that said license be CONTINUED on INDEFINITE SUSPENSION for a period of not less than three months. Should she petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether Steva Hairston is able to return to the safe and

competent practice of practical nursing. Steva Hairston shall be responsible for any fees that may be required for the reinstatement and/or renewal of the license prior to issuance of the license to resume practice.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, 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.

FOR THE BOARD



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

ENTERED AND MAILED ON:

August 4th, 2016

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 Douglas, M.S.M., R.N., C.S.A.C., F.R.E., 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.

Certified True Copy

By 

Virginia Board Of Nursing