

Certified True Copy
By PH Robinson
Virginia Board 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

November 6, 2017

DUPLICATE COPY
VIA FIRST CLASS MAIL

DATE 11/6/17

Dyshanta R Daniels, C.N.A.
607 Dowell Drive
Mineral, VA 23117

509 James Madison Hwy
Gordonsville, VA 22942

RE: Certificate Number: 1401-166783
Case Number: 183817

Dear Ms. Daniels:

Pursuant to Virginia Code § 54.1-2409, you are hereby given notice that your certificate to practice as a nurse aide in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered November 2, 2017. You are hereby advised that you may not practice as a nurse aide or hold yourself out as a certified nurse aide unless and until the Board of Nursing has notified you in writing that your certificate has been reinstated. Please return your certificate to Jay P. Douglas, Executive Director of the Virginia Board of Nursing ("Board"), at the above address, immediately upon receipt of this letter.

You may apply to the Board for reinstatement of your certificate, and you shall be entitled to a formal administrative hearing not later than the next regular meeting of the Board after the expiration of 60 days from the Board's receipt of your reinstatement application. The reinstatement of your certificate shall require the affirmative vote of three-fourths of the members of the Board present at the hearing. The reinstatement application can be found at www.dhp.virginia.gov/Nursing.

If you have any questions about this matter, you can contact me at (804) 367-4474 or anne.joseph@dhp.virginia.gov.

Sincerely,

Handwritten signature of Anne Joseph in cursive.

Anne Joseph, Deputy Director
Administrative Proceedings Division

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

Board of Audiology & Speech-Language Pathology – Board of Counseling – Board of Dentistry – Board of Funeral Directors & Embalmers
Board of Long-Term Care Administrators – Board of Medicine – Board of Nursing – Board of Optometry – Board of Pharmacy
Board of Physical Therapy – Board of Psychology – Board of Social Work – Board of Veterinary Medicine
Board of Health Professions

BEFORE THE VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS

IN RE: DYSHANTA R. DANIELS, C.N.A.
Certificate Number: 1401-166783
Case Number: 183817


ORDER OF MANDATORY SUSPENSION

In accordance with Virginia Code § 54.1-2409, I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that Dyshanta R. Daniels, C.N.A., was convicted of five felony offenses, to wit: two counts of false welfare application, two counts of obtain welfare by fraud, and one count of possession of heroin, in the Circuit Court of Louisa County, Virginia. Certified copies of the Conviction and Sentencing Orders are attached hereto as Commonwealth's Exhibit 1 and 2.

WHEREUPON, by the authority vested in the Director of the Department of Health Professions pursuant to Virginia Code § 54.1-2409, it is hereby ORDERED that the certificate of Dyshanta R. Daniels, C.N.A., to practice as a nurse aide in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the certificate of Dyshanta R. Daniels, C.N.A., will be recorded as suspended and no longer current and valid. Should Ms. Daniels seek reinstatement of her certificate pursuant to Virginia Code § 54.1-2409, she shall be responsible for any fees that may be required for the reinstatement of the certificate prior to issuance of the certificate 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 or copying on request.



David E. Brown, D.C., Director
Virginia Department of Health Professions

ENTERED:

11/2/17

Certified True Copy

By 

Virginia Board Of Nursing

CERTIFICATION OF DUPLICATE RECORDS

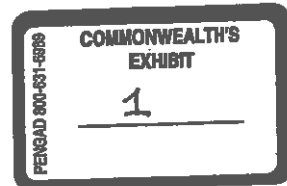
I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Sentencing Order entered September 29, 2016, and Conviction and Sentencing Order entered September 3, 2017, regarding Dyshanta R Daniels, C.N.A., are true copies of the records received from the Circuit Court of Louisa County, Virginia.



David E. Brown, D.C.

11/2/17

Date



SENTENCING ORDER

VIRGINIA: IN THE CIRCUIT COURT OF LOUISA COUNTY

FEDERAL INFORMATION PROCESSING
STANDARDS CODE: 109

Hearing Date: September 21, 2016
Judge: Sanner

COMMONWEALTH OF VIRGINIA

v.

DYSHANTA R. DANIELS, DEFENDANT

On the above date came the Attorney for the Commonwealth, Adam Ward, and the defendant, Dyshanta R. Daniels, with her Court-appointed attorney, John Amos.

On November 23, 2015, the Court accepted the plea agreement and the defendant's pleas of guilty and the Court found the defendant guilty of the following offenses:

CASE NUMBER	OFFENSE DESCRIPTION AND INDICATOR (F/M)	OFFENSE DATE	VA. CODE SECTION/VCC
CR15000182-01	False Welfare Application (F)	09-03-2014	63.2-502/VCC FRD-2700-F5
CR15000182-02	Obtain Welfare by Fraud (F)	09-03-2014	63.2-522/VCC FRD-2695-F9
CR15000182-03	False Welfare Application (F)	01-18-2015	63.2-502/VCC FRD-2700-F5
CR15000182-04	Obtain Welfare by Fraud (F)	01-18-2015	63.2-522/VCC 2695-F9

A pre-sentence report was Ordered and these matters were continued to February 29, 2016 for sentencing.

On February 29, 2016, the Court received the pre-sentence report and sentencing guidelines and the Court heard the evidence and the Court made a motion to continue these matters for sentencing for reasons stated on the record and the Court continued these matters to May 2, 2016 at 2:00 p.m. for sentencing and thereafter these matters have been continued several times and were set for this day for sentencing.

Thereupon the pre-sentence report was considered and was marked filed with today's date and is ordered filed as a part of the record in these cases in accordance with the provisions of Code § 19.2-299.

Pursuant to the provisions of Code § 19.2-298.01, the Court has considered and reviewed the applicable discretionary sentencing guidelines and the guidelines worksheets. The sentencing guidelines worksheets and the written explanation of any departure from the guidelines were Ordered filed as a part of the record in these cases.

The Court having heard additional evidence and argument of counsel and before pronouncing the sentence, inquired if the defendant desired to make a statement and if the defendant desired to advance any reason why judgment should not be pronounced. After hearing from the defendant, the Court

Sentences the defendant to:

Incarceration with the Virginia Department of Corrections by IMPOSING a term of 2 years in case no. CR15000182-01, false welfare application, 2 years in case no. CR15000182-02, obtain welfare by fraud, 2 years in case no. CR15000182-03, false welfare application and 2 years in case no. CR15000182-04, obtain welfare by fraud. The total sentence imposed is 8 years.

The Court SUSPENDS the following periods of incarceration: 2 years in case no. CR15000182-01, false welfare application, 2 years in case no. CR15000182-02, obtain welfare by fraud, 2 years in case no. CR15000182-03, false welfare application and 2 years in case no. CR15000182-04, obtain welfare by fraud, for a total suspension of 8 years, upon the following terms and conditions:

1. The defendant shall keep the peace and be of good behavior and violate none of the penal laws of the Commonwealth of Virginia, the United States of America or any other jurisdiction for a period of ten (10) years from this date.
2. The defendant shall be placed on supervised probation and abide by the lawful orders and directions of her Probation Officer for a period of three (3) years from this date. The defendant was directed to speak with the Probation Officer before she departs this day to receive her further reporting instructions.
3. While on supervised probation the defendant shall be evaluated for, participate in and successfully complete any programs of substance abuse treatment as recommended by her Probation Officer.
4. The defendant shall neither consume nor possess alcohol or illegal drugs, including marijuana, while on supervised probation.
5. The defendant while on supervised probation shall be subject to random screens of her blood, breath or urine by her Probation Officer to determine that she remains alcohol and illegal drug free.
6. The defendant while on supervised probation shall submit her person, property, place of residence, vehicle, and personal effects, to search at any time, with or without a search warrant, warrant of arrest or reasonable cause by any Probation Officer or Law Enforcement Officer.
7. The defendant during the period of her supervised probation must obtain full-time employment within thirty (30) days of sentencing. If defendant fails to obtain full-time employment, the defendant must perform twenty (20) hours of volunteer work per week at such time and locations as directed by her Probation Officer until she obtains full-time employment.
8. The defendant shall pay restitution in the amount of \$3,534.00 to Louisa County Department of Human Services. Said restitution shall be paid on a schedule as developed by her Probation Officer and shall be paid in full before her release from supervised probation. The defendant shall pay the Court costs of these proceedings on a schedule as directed by her Probation Officer and shall be paid in full before her release from supervised probation. Any funds received by the Clerk shall be allocated to the restitution obligation first and thereafter her Court cost obligation.

Pursuant to Virginia Code Section § 19.2-310.2 and 19.2-310.3. the defendant shall provide a sample of her blood, saliva or tissue for DNA (deoxyribonucleic acid) analysis to be taken by the Central Virginia Regional Jail and sent to the Department of Forensic Science within fifteen (15) days after the taking of the sample, unless a sample was previously taken. The defendant is ORDERED to cooperate fully and promptly in providing information and permitting sampling of blood, saliva or tissue as required by this Order.

Credit for time served. The defendant shall be given credit for time spent in confinement while awaiting trial pursuant to Virginia code §53.1-187.

The Court certifies that at all times the defendant was personally present with her attorney.

Endorsement of counsel is dispensed with in accordance with Rule 1:13.

9-29-16
DATE

ENTER: 
Timothy K. Sanner, JUDGE

DEFENDANT IDENTIFICATION:

Alias:

SSN:

DOB:

Sex: Female

SENTENCING SUMMARY:

TOTAL SENTENCE IMPOSED: 8 years, 0 months, 0 days

TOTAL SENTENCE SUSPENDED: 8 years, 0 months, 0 days

TOTAL TIME TO SERVE: 0 years, 0 months, 0 days

A COPY TESTE.

 CLERK
LOUISA COUNTY

CONVICTION AND SENTENCING ORDER

VIRGINIA: IN THE CIRCUIT COURT OF LOUISA COUNTY
FEDERAL INFORMATION PROCESSING
STANDARDS CODE: 109

Hearing Date: August 21, 2017
Judge: Sanner

COMMONWEALTH OF VIRGINIA

v.

DYSHANTA R. COLLINS, A/K/A DYSHANTA DANIELS, DEFENDANT

On the above date came the Attorney for the Commonwealth, Russell E. McGuire, and the defendant, Dyshanta R. Collins, a/k/a Dyshanta Daniels, with her Court-appointed counsel, Reed Amos.

On July 31, 2017, the defendant failed to appear and the Court directed the issuance of a summons to show cause for the defendant's failure to appear and was returnable to this day. The Court advised that if the defendant provided documentation of a medical emergency to excuse her appearance on July 31, 2017, the Court would dismiss the summons to show cause. Thereupon the defendant appeared this day and provided the Court with documentation of her medical emergency and the Court orders the summons to show cause in case no. CR1500A286-01 dismissed, ended and stricken from the docket.

Thereupon the Attorney for the Commonwealth and counsel for the defendant advised the Court that a plea agreement had been reached in these cases and the plea agreement and a written guilty plea form were tendered to the Court for its review and entry into the records of these cases.

Thereupon the Attorney for the Commonwealth made a motion to amend the indictment in case no. CR15000286-01 from charging "On or about February 8, 2013, in the County of Louisa, Virginia, the accused, Dyshanta R. Collins, aka Dyshanta Daniels did feloniously sell or possess with intent to sell or distribute a Schedule I controlled substance, to-wit: Heroin. Virginia Code Section: 18.2-248/VCC NAR-3045-F9" to charging "On or about February 8, 2013, in the County of Louisa, Virginia, the accused, Dyshanta R. Collins, aka Dyshanta Daniels, did feloniously possess a Schedule I controlled substance, to-wit: Heroin. Virginia Code Section: 18.2-250/VCC NAR-3022-F5. The attorney for the defendant did not oppose the motion of the Commonwealth and the Court granted the motion and amended the indictment.

Thereupon the defendant was arraigned on the amended indictment in case no. CR15000286-01 and entered a plea of guilty, which plea was tendered by the defendant in

person. The Court, having made inquiry, finds that the defendant fully understands the nature and effect of her plea, the penalties that may be imposed upon her conviction, and the waiver of her constitutional right to a trial by a jury and of the right to appeal, and finds that the defendant made the plea knowingly, voluntarily and intelligently.

The Court proceeded to hear the evidence of the Attorney for the Commonwealth and the defendant. At the conclusion of the evidence and argument of counsel, the Court accepted the defendant's plea of guilty and finds the defendant guilty as charged in the amended indictment on the following offense:

CASE NUMBER	OFFENSE DESCRIPTION AND INDICATOR (F/M)	OFFENSE DATE	VA. CODE SECTION/VCC
CR15000286-01	Possess a Schedule I Controlled Substance, to-wit: Heroin (F)	02-08-2013	18.2-250/VCC NAR-3022-F5

The Attorney for the Commonwealth in accordance with the plea agreement made a motion to nolle prosequi case no. CR15000286-02. The attorney for the defendant did not oppose the motion of the Commonwealth. Thereupon the Court grants the Commonwealth's motion and Orders case no. CR15000286-02 nolle prosequi, ended and stricken from the docket.

The Court having heard evidence and argument of counsel and before pronouncing the sentence, inquired if the defendant desired to make a statement and if the defendant desired to advance any reason why judgment should not be pronounced. After hearing from the defendant, the Court Sentences the defendant to:

Incarceration with the Virginia Department of Corrections by **IMPOSING** a term of **5 years** in case no. **CR15000286-01**, possess a schedule I controlled substance, to-wit: Heroin. The total sentence imposed is **5 years**.

The Court **SUSPENDS** the following periods of incarceration: **5 years** in case no. **CR15000286-01**, possess a schedule I controlled substance, to-wit: Heroin, for a total suspension of **5 years**, upon the following terms and conditions:

1. The defendant shall keep the peace and be of good behavior and violate none of the penal laws of the Commonwealth of Virginia, the United States of America or any other jurisdiction for a period of five (5) years from this date.
2. The defendant shall be placed on supervised probation and abide by the lawful orders and directions of her Probation Officer for a period of two (2) years from this date. The defendant was directed to speak with the Probation Officer before she departs this day to receive her further reporting instructions.

3. The defendant shall neither possess nor consume alcohol or illegal drugs, including marijuana, while on supervised probation.
4. While on supervised probation the defendant shall be evaluated for, participate in and successfully complete any substance abuse programs as recommended by her Probation Officer.
5. The defendant while on supervised probation shall be subject to random screens of her blood, breath or urine by her Probation Officer to determine that she remains alcohol and illegal drug free.
6. The defendant while on supervised probation shall submit her person, property, place of residence, vehicle, and personal effects, to search at any time, with or without a search warrant, warrant of arrest or reasonable cause by any Probation Officer or Law Enforcement Officer.
7. The defendant shall pay the Court costs of this proceeding on a schedule as directed by her Probation Officer and shall be paid in full before her release from supervised probation.

The defendant's Virginia Driver's License is suspended for a period of six (6) months in case no. CR15000286-01, beyond any current period of suspension that may be in effect. The Court grants the defendant leave to come back before the Court to request restricted driving privileges.

Pursuant to Virginia Code Section § 19.2-310.2 and 19.2-310.3. the defendant shall provide a sample of her blood, saliva or tissue for DNA (deoxyribonucleic acid) analysis to be taken by the Central Virginia Regional Jail and sent to the Department of Forensic Science within fifteen (15) days after the taking of the sample, unless a sample was previously taken. The defendant is ORDERED to cooperate fully and promptly in providing information and permitting sampling of blood, saliva or tissue as required by this Order.

Credit for time served. The defendant shall be given credit for time spent in confinement while awaiting trial pursuant to Virginia Code §53.1-187.

The Court certifies that at all times the defendant was personally present with her attorney.

Endorsement of counsel is dispensed with in accordance with Rule 1:13.

9-3-17
DATE

ENTER: 
Timothy K. Sanner, JUDGE

A COPY TESTE.
 CLERK
LOUISA COUNTY

DEFENDANT IDENTIFICATION:

DYSHANTA R. COLLINS, A/K/A DYSHANTA DANIELS

Alias:

SSN:

DOB:

Sex: Female

SENTENCING SUMMARY:

TOTAL SENTENCE IMPOSED: 5 years, 0 months, 0 days

TOTAL SENTENCE SUSPENDED: 5 years, 0 months, 0 days

TOTAL TIME TO SERVE: 0 years, 0 months, 0 days

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By P. Robinson
Virginia Board Of Nursing