

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE: SHONTANTE LAVERNE SAMUEL, C.N.A.  
REINSTATEMENT APPLICANT  
Certificate Number: 1401-149663  
Case Number: 176865**

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**ORDER**

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**JURISDICTION AND PROCEDURAL HISTORY**

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), a Special Conference Committee of the Virginia Board of Nursing (“Board”) held an informal conference on April 13, 2017, in Henrico County, Virginia, to receive and act upon Shontante Samuel’s application for reinstatement of her certificate to practice as a nurse aide in the Commonwealth of Virginia.

Shontante Laverne Samuel, C.N.A. appeared at this proceeding and was not represented by legal counsel.

**NOTICE**

By letter dated March 17, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Samuel notifying her that an informal conference would be held on April 13, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

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

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. Shontante Laverne Samuel, C.N.A., was issued Certificate Number 1401-149663 to practice as a nurse aide on December 21, 2011, which expired on December 31, 2013.
2. Ms. Samuel submitted an application for reinstatement of her certificate on October 17, 2016.

3. Ms. Samuel violated Virginia Code § 54.1-3007(2), (5), and (8) and 18 VAC 90-25-100(2)(h) of the Regulations Governing Certified Nurse Aides (“Regulations”) in that on April 29, 2012, during her employment with Home Instead Senior Care, Tappahannock, Virginia (“Home Instead”), she wrote checks from Client A’s bank account for her own personal use.

4. Ms. Samuel violated Virginia Code § 54.1-3007(4) as evidenced by the following:

a. On March 13, 2013, in the Circuit Court of Essex County, Virginia, she pled guilty to and was convicted of grand larceny as a result of the acts as outlined in Finding of Fact No. 3.

b. On March 1, 2012, in the Circuit Court of Essex County, Virginia, she was convicted of misdemeanor issuing bad checks, a crime of moral turpitude.

5. Ms. Samuel violated Virginia Code § 54.1-3007(2) and 18 VAC 90-25-100(2)(d) of the Regulations in that:

a. She failed to disclose her prior felony conviction of a barrier crime in a sworn disclosure statement for employment at Americare Plus at Northern Neck, Warsaw, Virginia (“Americare”), dated May 3, 2012.

b. In a filing submitted for unemployment benefits, she falsely stated that the reason she left Americare was “lack of work” when in fact, her employment was terminated for failure to disclose a barrier crime conviction.

6. At the informal conference, Ms. Samuel admitted to the misappropriation of her client’s funds, acknowledged that her actions were wrong and stated that she regrets her actions. She stated that she is currently financially stable and working toward her associates degree. She stated that she would like to have her CNA certificate reinstated so that she can work full time in a nursing environment.

7. Ms. Samuel stated that she has found it difficult to obtain employment due to her felony conviction. She is currently employed with At Home Comfort, King George, Virginia, where she is an in-home sitter for two autistic children. She stated that she also held a job for a year with a previous company and did well.

8. Ms. Samuel stated that she is seeing a therapist once per month with the Community Services Board where she receives therapy and medication management for mental health issues. She stated that she speaks with her case manager as needed and plans to take courses to deal with her behavior and anger issues. She believes that had she been on the appropriate medications at the time she wrote the checks, she would not have made the same choice.

9. She stated that she considers her mother and boyfriend her support system. She stated that she is in a better position to understand her motivations for stealing, so she feels she is safe to be around a client's property.

10. Finding of Fact and Conclusion of Law No. 3 constitutes a finding of misappropriation of patient property pursuant to 42 CFR §483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations.

### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:


1. The application of Shontante Laverne Samuel, C.N.A., for reinstatement of her certificate to practice as a nurse aide is DENIED.

2. A Finding of Misappropriation of patient property shall be ENTERED against Shontante Laverne Samuel, C.N.A., in the Virginia Nurse Aide Registry pursuant to 42 CFR § 483.13(c)(1)(ii)(B) and 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D). This finding prohibits Ms. Samuel's employment as a

certified nurse aide in any long-term care facility that receives Medicare or Medicaid reimbursement, according to 42 CFR § 483.13(c)(1)(ii)(B).

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

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

ENTERED AND MAILED:

April 21<sup>ST</sup>, 2017

**NOTICE OF RIGHT TO APPEAL**

Pursuant to Virginia Code § 54.1-2400(10), Ms. Samuel may, not later than 5:00 p.m., on May 24, 2017, notify 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, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated. This Order shall become final on May 24, 2017, unless a request for a formal administrative hearing is received as described above.

**Certified True Copy**  
By   
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**Virginia Board of Nursing**