

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: SHONTANTE LAVERNE SAMUEL, C.N.A. REINSTATEMENT APPLICANT
Certificate Number: 1401-149663
Expiration Date: December 31, 2013
Case Number: 176865

**NOTICE OF INFORMAL CONFERENCE
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that an informal conference has been scheduled before the Board of Nursing ("Board") regarding your application for reinstatement of your certificate to practice as a nurse aide in the Commonwealth of Virginia.

TYPE OF PROCEEDING:	This is an informal conference before a Special Conference Committee ("Committee") of the Board.
DATE AND TIME:	April 13, 2017 10:30 A.M.
PLACE:	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd Floor - Virginia Conference Center Henrico, Virginia 23233

LEGAL AUTHORITY AND JURISDICTION:

1. This informal conference is being held pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.
2. The burden rests on you, as the applicant, to demonstrate that you are prepared to resume safe and competent practice as a certified nurse aide.
3. In considering your application, the Committee will consider evidence that grounds may exist to deny your application for reinstatement of your certificate to practice as a nurse aide, as more fully set out in the enclosed Statement of Allegations.
4. At the conclusion of the proceeding, the Committee is authorized to take any of the following actions:
 - Approve your application and issue an unrestricted certificate to practice as a nurse aide.
 - Approve your application and issue a restricted certificate subject to terms and conditions.
 - Deny your application;
 - Refer the matter to the Board for a formal administrative hearing.

ABSENCE OF RESPONDENT AND RESPONDENT'S COUNSEL:

If you fail to appear at the informal conference, the Committee may proceed to hear this matter in your absence and may take any of the actions outlined above.

RESPONDENT'S LEGAL RIGHTS:

You have the right to the information on which the Committee will rely in making its decision, to be represented by counsel at this proceeding, to subpoena witnesses and/or documents, and to present relevant evidence on your behalf.

INFORMAL CONFERENCE MATERIALS:

Enclosed is a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

FILING DEADLINES:

Deadline for filing exhibits: April 5, 2017. Submit 5 copies of all documents you want the Board to consider to Melvina Baylor, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.

REQUEST FOR A CONTINUANCE

Absent exigent circumstances, such as personal or family illness, a request for a continuance after **April 5, 2017**, will not be considered. If you obtain counsel, you should do so as soon as possible, as a motion for a continuance due to the unavailability of counsel will not be considered unless received by **April 5, 2017**.

OTHER IMPORTANT INFORMATION:

Pursuant to 18 VAC 90-25-81 of the Regulations Governing Certified Nurse Aides, the burden rests upon you, as the petitioner, to demonstrate that your employment and personal history do not reflect a pattern of abusive behavior or neglect.

STATEMENT OF ALLEGATIONS

The Board alleges that grounds exist to refuse to reinstate the certificate of Shontante Laverne Samuel, C.N.A. to practice as a nurse aide in that:

1. 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 or about 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.
2. Ms. Samuel violated Virginia Code § 54.1-3007(4) as evidenced by the following:
 - a. On or about 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 Allegation 1.
 - b. On or about March 1, 2012, in the Circuit Court of Essex County, Virginia, she was convicted of misdemeanor issuing bad checks, a crime of moral turpitude.
3. 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.

c. In her employment application for 360 Home Health, Mechanicsville, Virginia, dated February 12, 2016, she failed to disclose her terminations from Home Instead and Americare.



Brenda Krohn, R.N., M.S.
Deputy Executive Director
Virginia Board of Nursing

March 17, 2017

Date