



COMMONWEALTH of VIRGINIA

Sandra Whitley Ryals
Director

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Richmond, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367-4400
FAX (804) 527-4475
RECEIVED
DEC 12 2008

December 10, 2008

VA BD OF NURSING

Elizabeth Marie Robertson
476 Dickerson Lane
Strasburg, VA 22657

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL
DATE 12/10/08

RE: Certificate No.: 1401-123528

Dear Ms. Robertson:

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your certification to practice as a certified nurse aide in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered December 10, 2008. 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 certificate to Jay P. Douglas, Executive Director, 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 certificate, 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 certificate 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 certificate, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4639.

Sincerely,

Sandra Whitley Ryals, Director
Department of Health Professions

Enclosures
Case # 123101

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: ELIZABETH MARIE ROBERTSON, C.N.A.
Certificate No.: 1401-123528

ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Sandra Whitley Ryals, Director of the Virginia Department of Health Professions, received and acted upon evidence that Elizabeth Marie Robertson, C.N.A., was convicted of felony charges in the Circuit Court of the County of Shenandoah for the Commonwealth of Virginia, to wit:

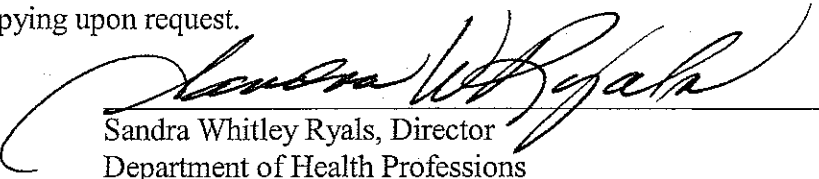
1. One (1) Count of Credit Card Theft; and
2. One (1) Count of Credit Card Fraud.

A certified copy of the Conviction and Sentencing Order is attached 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 certificate of Elizabeth Marie Robertson, C.N.A., to practice as a certified nurse aide in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the certificate of Elizabeth Marie Robertson, C.N.A., will be recorded as suspended and no longer current. Should Ms. Robertson seek reinstatement of her certificate 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 certificate prior to issuance of her certificate 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.


Sandra Whitley Ryals, Director
Department of Health Professions

ENTERED: 



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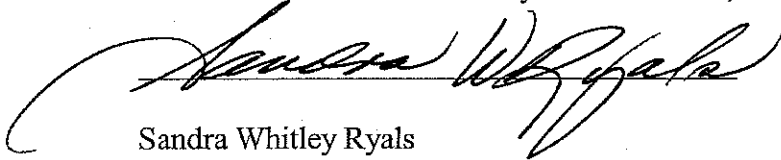
TEL (804) 367-4400

FAX (804) 527-4475

Sandra Whitley Ryals
Director

CERTIFICATION OF DUPLICATE RECORDS

I, Sandra Whitley Ryals, Director of the Department of Health Professions, hereby certify that the attached Conviction and Sentencing Order entered November 19, 2008, regarding Elizabeth Marie Robertson, C.N.A., are true copies of the records received from the Circuit Court of the County of Shenandoah, Virginia.


Sandra Whitley Ryals

Date: 

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NOV 25 2008

Enforcement Division

CONVICTION AND SENTENCING ORDER

VIRGINIA: IN THE CIRCUIT COURT OF SHENANDOAH COUNTY
FEDERAL INFORMATION PROCESSING
STANDARDS CODE: 171

Hearing Date: **11/12/2008**
Judge: Dennis L. Hupp

COMMONWEALTH OF VIRGINIA

v. CASE NO.: CR08-401 & CR08-402
ELIZABETH MARIE ROBERTSON, DEFENDANT

This 12th day of November, 2008, came the defendant, who appeared in person with the defense counsel, Charles B. Ramsey, Esquire. The Commonwealth was represented by Dragana Tomasevic, Esquire.

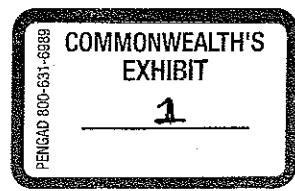
WHEREUPON, the Court is advised by the Defendant, his counsel, and the Attorney for the Commonwealth that the Defendant wishes to enter into guilty pleas and a plea agreement is tendered to the Court. The Clerk did arraign the Defendant to which she entered her pleas of Guilty thereto. The Court, after the Defendant having been sworn, did make numerous inquiries of the Defendant, and, the Court did determine that the Defendant is entering her pleas of guilty freely and voluntarily, with an intelligent understanding of the nature of the charges and the consequences of her pleas. The Attorney for the Commonwealth did proffer certain evidence to which the Defendant did not object. The Court finds that the evidence is sufficient to sustain the charges contained in the indictments.

Upon the pleas of guilty and the evidence proffered, the Court finds the defendant guilty of the following offense(s):

CASE NUMBER	OFFENSE DESCRIPTION AND INDICATOR (F/M)	OFFENSE DATE	VA. CODE SECTION
CR08-401	Credit card theft (F)	07/03/08	18.2-192(1)(a)
CR08-402	Credit card fraud (F)	07/03/08	18.2-195

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 are ordered filed as a part of the record in this case.

Before pronouncing the sentence, the Court inquired if the defendant desired to make a statement and if the defendant desired to advance any reason why judgment should not be pronounced.



The Court sentences the defendant to incarceration with the **Virginia Department of Corrections** for the term of:

CASE NUMBER	INCARCERATION	FINES
CR08-401	two (2) years	0.00
CR08-402	two (2) years	0.00

The total sentence imposed is **four (4) years**.

The Court **suspends one & one-half (1½) years of the sentence imposed on Case No. CR08-402** upon the following condition(s):

Good behavior. The Defendant shall be of good behavior for two (2) years.

Substance Abuse Screening.

Supervised Probation. Upon release from incarceration, the Defendant is placed on probation under the supervision of a Probation Officer for **two (2) years**, or unless sooner released by the Court. The defendant shall comply with all the rules and requirements set by the Probation Officer and all of the terms and conditions imposed in open Court.(reflected in the transcript of the proceedings). Probation shall include substance abuse counseling and/or testing as prescribed by the Probation Officer, including residence in a half-way house if deemed appropriate by the Probation Officer.

Costs. Upon release from incarceration, unless otherwise provided in a payment plan, the Defendant shall pay the costs of approximately \$785.00(court appointed counsel not included) in installments set by the probation officer.

Restitution. Upon release from incarceration, unless otherwise provided in a payment plan, the Defendant shall make restitution in the amount of \$343.29, as set forth in the restitution statement filed in the court file, in installments set by the probation officer, and judgment is awarded the victim for said restitution.

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

The Defendant must be of good behavior while incarcerated and comply with all rules of the penal facility in which she is being held, including work release rules if applicable.

A copy of this order shall be provided to the Attorney for the Commonwealth and to the Attorney for the Defendant, and defense counsel shall have ten (10) days from the date of entry to file written objections to any portion of it not covered by objections previously noted in the record of these proceedings.

THIS IS A FINAL ORDER.

ENTER _____ NOV 19 2008

JUDGE

DEFENDANT IDENTIFICATION:

Alias: *

SENTENCING SUMMARY:

TOTAL SENTENCE IMPOSED: **four (4) years**

TOTAL SENTENCE SUSPENDED: **one & one-half (1½) years**

A True Copy, Teste:

_____, Clerk