

VIRGINIA

BEFORE THE BOARD OF NURSING

IN RE: ELIZABETH M. ROBERTSON, C.N.A. APPLICANT

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021 and 54-1-2400(7) of the Code of Virginia (1950), as amended ("Code"), an informal conference was held before an Informal Conference Committee of the Board of Nursing ("Committee") on February 11, 2008, in Henrico County, Virginia, to receive and act upon the application of Elizabeth M. Robertson for certification by examination as a nurse aide in the Commonwealth of Virginia and to inquire into evidence that she may have violated certain laws and regulations governing nurse aide practice in Virginia. Ms. Robertson was present and was not represented by legal counsel.

Upon consideration of the evidence presented, the Committee adopted the following Findings of Facts and Conclusions of Law.

FINDINGS OF FACT

1. Ms. Robertson submitted an application for certification by examination as a nurse aide in the Commonwealth of Virginia which was received by the Board on October 22, 2007.
2. Ms. Robertson was convicted of shoplifting in the Shenandoah General District Court on February 2, 2004.
3. Ms. Robertson was convicted of 11 felonies in the Circuit Court of Shenandoah County, Virginia, on March 10, 2004, including two counts of forgery, two counts of uttering, one count of credit card theft, one count of credit card fraud, four counts of credit card forgery, and one count of eluding a police officer. She received a suspended sentence and was placed on supervised probation subject to certain

terms and conditions. On September 29, 2006, she was found guilty of violating the terms of her suspension/probation, at which point she received a partially suspended sentence and was restored to supervised probation.

4. Ms. Robertson was convicted of three counts of misdemeanor credit card fraud in the Shenandoah General District Court on March 26, 2004.

5. Ms. Robertson was convicted of misdemeanor obtaining by false pretense or token DVD movies and a game cartridge in the Shenandoah General District Court on August 23, 2004.

6. Ms. Robertson was convicted of a felony bad check offense in Shenandoah General District Court on January 27, 2006.

7. Ms. Robertson was convicted of two felony counts of obtaining by false pretense and two felony counts of uttering a forged check in the Circuit Court of Shenandoah County, Virginia on September 6, 2006. She received a suspended sentence and was placed on supervised probation subject to certain terms and conditions.

8. At the informal conference, Ms. Robertson stated that she pays restitution timely on a monthly payment plan towards her court fine obligations. She further indicated that it is anticipated that she will be placed on unsupervised probation on March 7, 2008, based upon her compliance with the terms and conditions of her probation thus far.

9. Ms. Robertson has been employed at Consulate Healthcare at Woodstock ("Consulate") since September 5, 2007, first in a nurse aide capacity and currently in a hospitality aide position while she awaits certification as a nurse aide. Ms. Robertson provided letters of support from her supervisors at Consulate, who are aware of her conviction history and are willing to hire her upon her obtaining certification.

10. Ms. Robertson's father appeared at the informal conference on her behalf and stated to the

Committee that these offenses occurred while Ms. Robertson was in the custody of her mother who suffers from a bi-polar condition. He also verified that Ms. Robertson has made positive changes in her life, including maintaining a stable home environment, obtaining the support of her family, and accepting responsibility for her actions.

11. Ms. Robertson expressed great remorse for her bad judgment and past behavior. She voluntarily sought professional help for multiple issues and is currently well controlled on prescribed medication. Additionally, she expressed passion for her work at Consulate and further stated that she desires to continue in this line of work.

#### CONCLUSIONS OF LAW

1. Findings of Fact Nos. 2, 3, 4, 5, 6 and 7 constitute violations of § 54.1-3007(3) and (4) of the Code.
2. The Committee concludes that Ms. Robertson otherwise meets the requirements of § 54.1-3023 of the Code.

#### ORDER

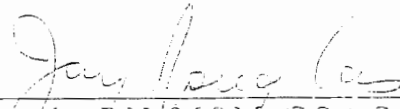
On the basis of the foregoing, the Virginia Board of Nursing hereby OPINES that the application of Elizabeth M. Robertson for certification by examination be, and hereby is, APPROVED. Upon successful completion of the NNAAP examination, Ms. Robertson shall be issued an unrestricted certificate to practice as a nurse aide in the Commonwealth.

Pursuant to §§ 3.2-4025 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 public record and shall be made available for public inspection or copying on request.

If Ms. Robertson does not consent to the Committee's decision and desires a hearing before the Board or a panel thereof, she shall notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, in writing at

the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Richmond, Virginia 23235, within thirty-three (33) days from the date of entry of this Order. This Order shall become final upon the expiration of the thirty-three (33) day period unless a request for a formal hearing is received within such time. Upon receiving timely request for a hearing, the Board or a panel thereof shall then proceed with a hearing as provided in §§ 2.2-4020 and 2.2-4021 of the Code.

FOR THE BOARD

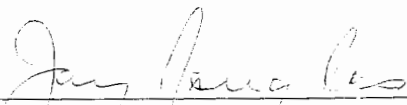


Jay P. Douglas, R.N./M.S.M., C.S.A.C.  
Executive Director for the  
Board of Nursing

Entered: February 27<sup>th</sup>, 2008

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed on this date to Elizabeth M. Robertson, C.N.A. Applicant, at 2399 Alum Springs Road, Basye, Virginia 22810.



Jay P. Douglas, R.N., M.S.M., C.S.A.C.  
Executive Director for the  
Board of Nursing

February 27<sup>th</sup>, 2008

DATE

**Certified True Copy**  
By Boial 2/27/08  
Virginia Board of Nursing