

0002-094487

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: YAKEMIA LATOYA MITCHELL, L.P.N APPLICANT
Case Number: 176208

**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 licensure by examination to practice practical nursing 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:	February 6, 2017 2:00 P.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 meet the requirements of Virginia Code § 54.1-3020.
3. In considering your application, the Committee will consider evidence that grounds may exist to refuse to issue you a license to practice practical nursing, 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 for licensure to practice practical nursing and issue an unrestricted license;
 - Approve your application and issue a restricted license subject to terms and conditions;
 - Deny your application; or
 - 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:

1. Deadline for filing materials: January 30, 2017. Submit 6 copies of all documents you want the Board to consider to Brenda Krohn, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.
2. Deadline for filing motions, including requests for continuance or objections to exhibits, in writing, to Brenda Krohn at the above address: January 30, 2017. NOTE: Failure to object to the distribution prior to the proceeding will not affect your right to contest any information contained in these documents at the proceeding.

REQUEST FOR A CONTINUANCE

Absent exigent circumstances, such as personal or family illness, a request for a continuance after **January 30, 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 **January 30, 2017**.

STATEMENT OF ALLEGATIONS

The Board alleges that grounds exist to refuse to issue a license to Yakemia Latoya Mitchell to practice practical nursing in that:

1. Ms. Mitchell violated Virginia Code § 54.1-3007(4) in that on November 10, 2010, she was convicted of identity theft to avoid arrest, a misdemeanor, in the Circuit Court of Halifax County, Virginia.

2. Ms. Mitchell violated Virginia Code § 54.1-3007(1) and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing in that on her application for licensure by examination to practice practical nursing, she answered "NO" to the question "Have you ever been convicted, pled guilty of pled Nolo Contendere to the violation of any federal, state or other statute or ordinance constituting a felony or misdemeanor?" when, in fact, she was convicted of identity theft as set forth in Allegation Number 1.



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

January 11, 2017
Date