

**VIRGINIA****BEFORE THE BOARD OF NURSING****IN RE: DAMON N. DUNN, L.P.N. 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 November 13, 2006, in Henrico County, Virginia, to receive and act upon the application of Damon N. Dunn for licensure by examination as a licensed practical nurse in the Commonwealth of Virginia and to receive and act upon evidence that he may have violated certain laws and regulations governing practical nursing practice in Virginia. Mr. Dunn 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. By application received on or about August 1, 2006, Mr. Dunn applied for licensure by examination as a licensed practical nurse in the Commonwealth of Virginia.
2. On or about October 27, 2005, Mr. Dunn was convicted of Attempted Petit Larceny, in violation of § 18.2-96 of the Code, in the Virginia Beach, Virginia, General District Court, for an offense that occurred on or about September 3, 2005. As a result, he received a sentence of 12 months incarceration, all but five days of which was suspended contingent upon his completion of two years probation and paying restitution in the amount of \$486.48.
3. Mr. Dunn stated to the Committee that he has been offered a position as an L.P.N. Applicant at Riverside Regional Medical Center, Newport News, Virginia.
4. Mr. Dunn provided multiple letters of recommendation from both employers and faculty members.

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5. Mr. Dunn is currently enrolled at Thomas Nelson Community College, Hampton, Virginia, where he is pursuing an Associate Degree in nursing and holds a 3.7 G.P.A.
6. Mr. Dunn stated that he is currently in compliance with the terms of his probation, which will be completed on or about October 27, 2007.

### **CONCLUSIONS OF LAW**

1. Finding of Fact #2 constitutes a violation of § 54.1-3007(4) of the Code.
2. The Committee concludes that Mr. Dunn otherwise meets the requirements of § 54.1-3020 of the Code.

### **ORDER**


On the basis of the foregoing, the Virginia Board of Nursing hereby ORDERS that the application of Damon N. Dunn for licensure by examination, be and hereby is, APPROVED. Upon successful completion of the NCLEX-PN examination, Mr. Dunn shall be issued an unrestricted license to practice as a practical nurse in the Commonwealth.

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

If Mr. Dunn does not consent to the Committee's decision and desires a hearing before the Board or a panel thereof, he shall notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, in writing at 6603 West Broad Street, Fifth Floor, Richmond, Virginia 23230-1717 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.

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FOR THE BOARD

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

Entered: November 22<sup>nd</sup>, 2006

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed on this date to Damon N. Dunn at 63 Ferguson Lane, Newport News, Virginia 23601.

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

November 22<sup>nd</sup>, 2006  
DATE