

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: SUSAN DENISE WILLIAMS SMITH, C.N.A.
Certificate Number: 1401-080009
Case Number: 173238

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on July 20, 2016, in Henrico County, Virginia, to receive and act upon Susan Denise Williams Smith's application for reinstatement of her certificate to practice as a nurse aide in the Commonwealth of Virginia.

Susan Denise Williams Smith, C.N.A. appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated July 8, 2016, the Board of Nursing sent a Notice of Formal Hearing (“Notice”) to Ms. Smith notifying her that a formal administrative hearing would be held on July 20, 2016. The Notice was sent by overnight mail to the legal address of record on file with the Board of Nursing.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT

1. Susan D.W. Smith, C.N.A., was issued Certificate No. 1401-080009 to practice as a nurse aide in the Commonwealth of Virginia on October 22, 1999. Said certificate was mandatorily suspended pursuant to § 54.1-2409 of the Code by Order of the Department of Health Professions entered on June 22, 2015.

2. On November 21, 2014, in the Circuit Court of Henry County, Virginia, Ms. Smith was convicted of three felony counts of embezzlement (grand larceny). She was sentenced to incarceration for three years, with all suspended. Ms. Smith was granted early release from her one-year supervised probation and is currently on unsupervised probation for a period of five years. This conviction formed the basis of the mandatory suspension of Ms. Smith's certificate by the Virginia Department of Health Professions.

3. Ms. Smith submitted an application for reinstatement of said certificate to the Board on April 13, 2016.

4. Ms. Smith is currently employed by Kings Academy.

5. Ms. Smith took full responsibility for the conviction, but she told the Board that the actions that spurred the embezzlement charge were accidental, simply a confusion of credit card numbers. She apologized for her actions.

6. Ms. Smith told the Board that she would like to work in a nursing home as a nurse aide, and that she desires to further her education and become an R.N.

CONCLUSIONS OF LAW


1. Finding of Fact No. 2 constitutes a violation of Virginia Code § 54.1-3007(4).
2. Susan D.W. Smith has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing by affirmative vote of at least three-fourths of the members of the Board at the proceeding, effective upon entry of this Order, ORDERS that the certificate issued to Susan Denise Williams Smith to practice as a nurse aide in the Commonwealth of Virginia is REINSTATED without restriction.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, 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.

FOR THE BOARD




Jay Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

ENTERED AND MAILED ON:

August 5th 2016

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay Douglas, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy
By 

Virginia Board Of Nursing