

0031-009942

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: Michelle Yvonne Howell, R.M.A. Applicant
Case Number: 172489

RATIFICATION AND ORDER


On July 20, 2016, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Michelle Yvonne Howell was not present nor was she represented by legal counsel.

In consideration whereof, the Board of Nursing ACCEPTS the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and ADOPTS the Recommended Order in its entirety.

Pursuant to Virginia Code § 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.


Pursuant to Virginia Code § 54.1-2400(10), Ms. Howell may, not later than 5:00 p.m., on September 2, 2016, notify Jay Douglas M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD



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

Certified True Copy


By _____
Virginia Board of Nursing

ENTERED AND MAILED ON:

July 29th, 2016

This Order shall become final on September 2, 2016, unless a request for a formal administrative hearing is received as described above.

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: Michelle Yvonne Howell, R.M.A. Applicant
Case Number: 172489

REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Jeanne Holmes, serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on June 15, 2016 in Henrico County, Virginia, to receive and act upon the application of Michelle Yvonne Howell to practice as a medication aide in the Commonwealth of Virginia and to inquire into evidence that grounds may exist to refuse to issue a registration.

Ms. Howell appeared at this proceeding and was not represented by legal counsel.

Upon consideration of the evidence, the Agency Subordinate makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

Notice

By letter dated May 3, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Howell notifying her that an informal conference would be held on June 15, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing. On June 15, 2016, the Board hand-delivered an Amended Notice to Ms. Howell.

Recommended Findings of Fact and Conclusions of Law

1. On December 8, 2015, Michelle Yvonne Howell submitted an application for registration by examination to practice as a medication aide in the Commonwealth of Virginia.
2. Ms. Howell violated Virginia Code § 54.1-3007(4) in that she was convicted of the following misdemeanors involving moral turpitude:

a. On October 18, 2011, in the Circuit Court of Montgomery County, Virginia, Ms. Howell was convicted of petit larceny. She was sentenced to 12 months incarceration, suspended, and ordered to pay restitution in the amount of \$131.50 plus court costs, which were paid in full.

b. On October 15, 2012, in the General District Court of Pulaski County, Virginia, Ms. Howell was convicted of petit larceny. She was sentenced to 30 days in jail, with 28 days suspended, and ordered to pay restitution in the amount of \$51.52, which has been paid. She was also ordered to pay \$226.00 in court costs and is making monthly payments towards the balance.

3. Ms. Howell has not had any criminal convictions since 2012.

4. Ms. Howell has been employed as a nursing assistant at Runk & Platt Assisted Living since April 14, 2015, with no employment issues. She provided letters of reference from three persons at the facility. Ms. Howell reported that she has a good support system.

Recommended Order

Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Board issue an Order as follows:

1. Michelle Yvonne Howell is REPRIMANDED.

2. The application of Michelle Yvonne Howell for registration to practice as a medication aide in Virginia is APPROVED. Upon successful completion of the Medication Aide examination, Ms. Howell shall be issued an unrestricted registration to practice as a medication aide.

3. Michelle Yvonne Howell shall comply with all laws and regulations governing the practice of medication aides in the Commonwealth of Virginia.

Reviewed and approved on June 30, 2016
By Jeanne Holmes, Citizen Board Member
Agency Subordinate