

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: STEVEN DONNELL HOWARD, C.N.A.
Certificate Number: 1401-134964
Case Number: 171277

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. Steven Donnell Howard, C.N.A. was not present nor was he 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(K), the Board considered whether to disclose or not disclose Mr. Howard's health records or health services.

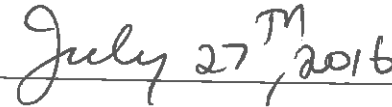
Pursuant to Virginia Code § 54.1-2400(10), Mr. Howard may, not later than 5:00 p.m., on **August 29, 2016**, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that he desires a formal administrative 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

ENTERED AND MAILED ON:



July 27th, 2016

This Order shall become final on August 29, 2016, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 

Virginia Board Of Nursing

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IN RE: STEVEN DONNELL HOWARD, C.N.A.
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REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Nancy Durrett, R.N., M.S., serving as Agency Subordinate of the Virginia Board of Nursing (“Board”), held an informal conference on June 16, 2016 in Henrico County, Virginia, to inquire into evidence that Steven Donnell Howard, C.N.A. may have violated certain laws and regulations governing the practice of nurse aides in the Commonwealth of Virginia.

Mr. Howard 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 18, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Mr. Howard notifying him that an informal conference would be held on June 16, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing.

Recommended Findings of Fact and Conclusions of Law

1. Steven Donnell Howard, C.N.A. was issued Certificate Number 1401-134964 to practice as a nurse aide on February 8, 2010, which expired on February 29, 2016. At all times relevant to the allegations herein, said certificates was in full force and effect.

2. Steven Donnell Howard, C.N.A., violated Virginia Code § 54.1-3007(6) in that he is unsafe to practice as a nurse aide due to mental and/or physical illness and/or substance abuse, as evidenced by the following: on December 7, 2015, Mr. Howard was admitted to Maryview Behavioral Medicine Center, Virginia Beach, Virginia, where he was diagnosed with schizoaffective disorder, depressive type, amphetamine use disorder and alcohol abuse disorder, in remission, and personality disorder not otherwise specified, mixed personality features.

3. Mr. Howard stated that he has an appointment with the local community services board to begin mental health counseling on July 20, 2016.

4. Mr. Howard's treating psychiatrist stated in his interview with the investigator for the Department of Health Professions that as of March 2016, Mr. Howard was not safe to practice as a nurse aide. He further stated that Mr. Howard is exhibiting signs and symptoms of psychiatric impairment and expected him to remain disabled for an extended period.

5. Mr. Howard stated at the informal conference that he does not believe he is currently safe to practice as a nurse aide.

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. The right of Steven Donnell Howard to renew his certificate to practice as a nurse aide in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
2. The certificate of Steven Donnell Howard will be recorded as SUSPENDED.
3. Should Steven Donnell Howard seek reinstatement of his certificate, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Steven Donnell Howard to demonstrate that he is safe and competent to return to nurse aide practice. Steven

Donnell Howard shall be responsible for any fees that may be required for the reinstatement and/or renewal of the certificate prior to issuance of the certificate to resume practice.

Reviewed and approved on July 6, 2016
By Nancy Durrett, R.N., M.S.
Agency Subordinate