

BEFORE THE VIRGINIA BOARD OF NURSING**IN RE: BRANDON LEE COVINGTON, C.N.A.****License Number: 1401-151327****Case Number: 171328**

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Nursing ("Board") and Brandon Lee Covington, C.N.A., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Mr. Covington's right to renew his certificate to practice as a nurse aide in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Brandon Lee Covington, C.N.A. was issued Certificate Number 1401-151327 to practice as a nurse aide on March 22, 2012, which expired on March 31, 2016.
2. At all times relevant hereto, Brandon Lee Covington, C.N.A., was certified to practice as a nurse aide in the Commonwealth of Virginia.
3. Mr. Covington violated Virginia Code § 54.1-3007(6) in that he is unsafe to practice as a nurse aide due to substance abuse and/or mental and/or physical illness, as evidenced by the following:
 - a. On or about December 11, 2015, Mr. Covington was admitted to the inpatient psychiatric program at Centra Health Lynchburg General Hospital, Lynchburg, Virginia, for suicidal ideations and statements, where he was diagnosed with major depressive disorder with a history of alcohol dependence and abuse.
 - b. Mr. Covington has a history of alcohol and illicit drug abuse.
 - c. On November 4, 2013, Mr. Covington was convicted in the City of Lynchburg, Virginia, General District Court of driving under the influence.

d. On May 4, 2011, Mr. Covington was convicted in the Appomattox County, Virginia, General District Court of public swearing/intoxication. On August 30, 2011, Mr. Covington was convicted in the City of Lynchburg, Virginia, General District Court of public swearing/intoxication.

4. Mr. Covington violated Virginia Code § 54.1-3007(2) and 18 VAC 90-25-100(1)(b) of the Regulations Governing Certified Nurse Aides in that on his January 30, 2012, application for certification as a nurse aide, he failed to disclose his two convictions for public swearing/intoxication in the Appomattox County General District Court and in the Lynchburg General District Court.

CONSENT

Brandon Lee Covington, C.N.A., by affixing his signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me or my certificate except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; the right to representation by counsel; and the right to cross-examine witnesses against me;
4. I waive all right to an informal conference;
5. I admit to the Findings of Fact and Conclusion of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my right to renew my certificate to practice as a nurse aide in the Commonwealth of Virginia.

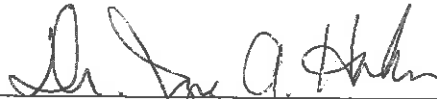
ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. The Board accepts the VOLUNTARY SURRENDER for INDEFINITE SUSPENSION of Brandon Lee Covington's right to renew his certificate to practice as a nurse aide in the Commonwealth of Virginia.
2. The certificate of Brandon Lee Covington will be recorded as SUSPENDED.
3. Should Brandon Lee Covington seek reinstatement of his certificate, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Brandon Lee Covington to demonstrate that he is safe and competent to return to nurse aide practice. Brandon Lee Covington 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.

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



Joyce A. Hahn, PhD, RN, NEA-BC, FNAP
President
Virginia Board of Nursing

ENTERED: 7/19/16



SEEN AND AGREED TO:

Brandon Lee Covington
Brandon Lee Covington, C.N.A.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Bedford, TO WIT:

Subscribed and sworn to me, a notary public in and for the Commonwealth of Virginia at large, on this 20
day of June, 2016.

Cheryl Restrepo
Notary Public

My commission expires: 10/31/18

Registration No.: 7614638

Certified True Copy
By [Signature]
Virginia Board Of Nursing