



# COMMONWEALTH of VIRGINIA

David E. Brown, D.C.  
Director

## Department of Health Professions

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FAX (804) 527-4475

August 24, 2016

Rachel Ann Stubbs Zacarias, R.M.A.  
P.O. Box 1127  
Castlewood, VA 24224

DUPLICATE COPY  
VIA FIRST CLASS MAIL

DATE 8/24/16

RE: Registration Number: 0031-001987  
Case Number: 173593

Dear Ms. Zacarias:

Pursuant to Virginia Code § 54.1-2409, you are hereby given notice that your right to renew your registration to practice as a medication aide in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered August 23, 2016. You are hereby advised that you may not practice as a medication aide or hold yourself out as a registered medication aide unless and until the Board of Nursing has notified you in writing that your registration has been reinstated. Please return your registration to Jay P. Douglas, Executive Director of the Virginia Board of Nursing ("Board"), at the above address, immediately upon receipt of this letter.

You may apply to the Board for reinstatement of your registration, and you shall be entitled to a formal administrative hearing not later than the next regular meeting of the Board after the expiration of 60 days from the Board's receipt of your reinstatement application. The reinstatement of your registration shall require the affirmative vote of three-fourths of the members of the Board present at the hearing. The reinstatement application can be found at [www.dhp.virginia.gov/Nursing/htm](http://www.dhp.virginia.gov/Nursing/htm).

If you have any questions about this matter, you can contact me at (804) 367-4474 or [anne.joseph@dhp.virginia.gov](mailto:anne.joseph@dhp.virginia.gov).

Sincerely,

Anne Joseph, Deputy Director  
Administrative Proceedings Division

cc: Jay P. Douglas, Executive Director, Board of Nursing  
Enclosures

BEFORE THE VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS

IN RE: **RACHEL ANN STUBBS ZACARIAS, R.M.A.**  
**Registration Number: 0031-001987**  
**Case Number: 173593**

ORDER OF MANDATORY SUSPENSION

In accordance with Virginia Code § 54.1-2409, I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that Rachel Ann Stubbs Zacarias, R.M.A. was convicted of a felony offense, to wit: abuse/neglect incapacitated adult. A certified copy of the Conviction and Sentencing Order is attached hereto as Commonwealth's Exhibit 1.

WHEREUPON, by the authority vested in the Director of the Department of Health Professions pursuant to Virginia Code § 54.1-2409, it is hereby ORDERED that the right of Rachel Ann Stubbs Zacarias, R.M.A. to renew her registration to practice as a medication aide in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the registration of Rachel Ann Stubbs Zacarias, R.M.A. will be recorded as suspended. Should Rachel Ann Stubbs Zacarias, R.M.A. seek reinstatement of her registration pursuant to Virginia Code § 54.1-2409, she shall be responsible for any fees that may be required for the reinstatement of the registration prior to issuance of the registration 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 or copying on request.



\_\_\_\_\_  
David E. Brown, D.C., Director  
Virginia Department of Health Professions

Certified True Copy

By   
Virginia Board of Nursing

ENTERED:

8/23/16  
\_\_\_\_\_

**CERTIFICATION OF DUPLICATE RECORDS**

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Conviction and Sentencing Order entered July 29, 2016, regarding Rachel A. Zacarias, R.M.A., is a true copy of the records received from the Circuit Court of Russell County, Virginia.

  
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Date: 8/23/16

David E. Brown, D.C.



**CONVICTION AND SENTENCING ORDER**

**VIRGINIA:**

**IN THE CIRCUIT COURT OF RUSSELL COUNTY**

Hearing Date: 07-12-2016  
Judge: Moore

**COMMONWEALTH OF VIRGINIA**

**VS.**

**CASE NO. CR16-19141**

**RACHEL (ANN) ZACARIAS**

This 12<sup>th</sup> day of July, 2016, came the defendant, **Rachel (Ann) Zacarias**, age 38, and came also, **Dollie Compton**, her attorney. The Commonwealth was represented by **Janine Myatt, Special Prosecutor**.

The Attorney for the Commonwealth moved the Court to amend the indictment to include the middle name of the defendant as "Ann", and without objection thereto on behalf of the defendant, the Court granted said motion.

Whereupon, the defendant was arraigned on the indictment and the accused entered a plea of Nolo Contendere to the following offense: CR16-19141 – Abuse/Neglect Incapacitated Adult, which plea was tendered by the accused in person and after being advised by the Court of her right to trial by jury, the defendant, in person, knowingly and voluntarily waived trial by jury, and with the concurrence of the Attorney for the Commonwealth and of the Court, and the Court having been advised by the defendant and the Attorney for the Commonwealth that there has been a plea agreement in this case, and such agreement in writing having been presented to the Court, and now filed herein, and upon evidence being stipulated on behalf of the Commonwealth (none being presented on behalf of the defendant), the Court accepts the plea of Nolo Contendere of the defendant and finds the defendant **GUILTY** of the following offense:

<b>CASE NUMBER</b>	<b>OFFENSE DESCRIPTION AND INDICATOR (F/M)</b>	<b>OFFENSE DATE</b>	<b>CODE SECTION</b>
CR16-19141	ABUSE/NEGLECT INCAPACITATED ADULT (F)	10-06-2015	18.2-369

Before pronouncing sentence, the Court inquired if the defendant desired to make a statement and if the defendant desired to advance any reason why judgment should not be pronounced.

**The Court SENTENCES the defendant to:**

**Incarceration with the Virginia Department of Corrections for a term of 3 years.**

The Court **SUSPENDS** a term of 3 years of said sentence imposed, upon the following conditions:

**GOOD BEHAVIOR:** The defendant shall be of good behavior from this date until she has completed her term of probation which shall include a requirement of the defendant to submit to urine, blood or hair samples to be withdrawn from the person of the defendant to enforce this condition of good behavior.

**WITHDRAWAL OF BLOOD SAMPLE:** The defendant shall provide a sample of blood as directed by the Court upon conviction/sentencing in a felony matter, if not previously withdrawn from the person of the defendant.

**SUPERVISED PROBATION:** The defendant is placed on probation, under the supervision of a Probation Officer, for a term of 2 years, or unless sooner released by the Court or by the Probation Officer. The defendant shall comply with all the rules and requirements set by the Probation Officer. Probation shall include substance abuse counseling and/or testing as prescribed by the Probation Officer, SWVCC Case Worker or substance abuse counselor. Additional requirement of probation is that the defendant shall pay the costs incurred by the Commonwealth in these cases and shall pay restitution, if any.

**RESTITUTION:** The defendant shall pay restitution in the amount of \$1,143.67 to the Russell County Sheriff's Office, jointly and severally with her co-defendant.

**LITTER PICK UP:** As a special condition of probation, the defendant shall pick up trash and litter in a designated area of Russell County as assigned by his/her Probation Officer.

**The Court hereby ORDERS as a result of this conviction, the defendant's license as a Medication Aide and Assisted Living Facility Administrator is hereby revoked.**

The Court certifies that at all times during the trial of this case, the defendant was personally present and her attorney was likewise personally present and capably represented the defendant, and that the accused was advised of her right to file a petition for a writ of error as to said conviction and sentence.

The Clerk is hereby directed to mail an attested copy of this Order to counsel of record, if any.

The defendant is allowed to depart.

ENTER THIS ORDER this 29<sup>th</sup> day of July, 2016.

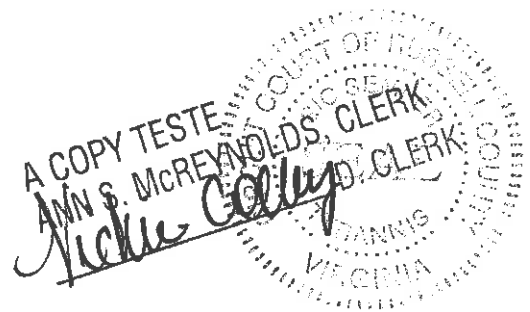
  
\_\_\_\_\_  
Michael L. Moore, Judge

**DEFENDANT'S IDENTIFICATION:**

Rachel Ann Zacarias  
SSN:  
DOB: -----  
SEX: Female

**SENTENCING SUMMARY:**

**TOTAL SENTENCE IMPOSED: 3 YEARS**  
**TOTAL SENTENCE SUSPENDED: 3 YEARS**



**CERTIFIED COPIES TO**  
8/2/2016: CW Probation  
D. Compton SWIARJA  
OR