

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:            **ANDREA M. HILTON, C.N.A. REINSTATEMENT APPLICANT**

**NOTICE OF HEARING**

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Andrea M. Hilton, who prior to its mandatory suspension by the Department of Health Professions Nursing on June 1, 2010, held Certificate No. 1401-121360, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on January 24, 2011, at 9:00 a.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Ms. Hilton will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Hilton has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. Hilton desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

The purpose of the hearing is to receive and act upon Ms. Hilton’s application for reinstatement of her certificate to practice as a nurse aide in Virginia, and to inquire into evidence that Ms. Hilton may have violated certain laws and regulations governing nurse aide practice in Virginia, as more fully set forth in the Statement of Particulars below.

The burden rests upon Ms. Hilton, as the applicant, to demonstrate that she is capable of resuming the safe and competent practice as a nurse aide in Virginia.

Pursuant to § 54.1-2409 of the Code, reinstatement of Ms. Hilton's certificate requires the affirmative vote of three-fourths of the members of the Board in attendance at the hearing.


**STATEMENT OF PARTICULARS**

The Board alleges that:

1. Andrea M. Hilton may have violated § 54.1-3007(4) of the Code in that:
  - a. On December 10, 2008, Ms. Hilton pled guilty to and was convicted of grand larceny, a felony, in the Circuit Court of Henrico County, Virginia.
  - b. On December 15, 2009, Ms. Hilton was convicted of attempted grand larceny, a felony, in the Circuit Court of Henrico County, Virginia.
  - c. On February 15, 2005, Ms. Hilton pled guilty to and was convicted of misdemeanor larceny, 5<sup>th</sup> degree, in the Enfield, Connecticut, Geographical Area 13 Court.
  - d. On April 26, 2005, Ms. Hilton pled guilty to and was convicted of misdemeanor larceny, 5<sup>th</sup> degree, and felony failure to appear, 1<sup>st</sup> degree, in the Hartford, Connecticut, Geographical Area 14 Court.
  - e. On May 15, 2006, Ms. Hilton pled guilty to and was convicted of misdemeanor larceny, 5<sup>th</sup> degree, in the New Britain, Connecticut, Geographical Area 15 Court.
2. Ms. Hilton may have violated § 54.1-3007(1) of the Code and 18 VAC 90-25-100(1)(b) of the Regulations Governing Certified Nurse Aides in that on her application for certification by endorsement which was received by the Board on October 2, 2007, Ms. Hilton answered "NO" to the question "Have you ever been convicted, pled guilty to, or pled no contest to the violation of any federal, state, or other law constituting a felony or misdemeanor, including convictions for driving under the influence (DUI) but excluding traffic violations?" when, in fact, Ms. Hilton had several convictions, as evidenced above, prior to submitting her application.

3. Ms. Hilton may have violated § 54.1-3007(6) of the Code in that she may be unsafe to practice as a nurse aide due to her admitted history of substance abuse.

FOR THE BOARD

  
Jay P. Douglas R.N., M.S.M., C.S.A.C.  
Executive Director for the  
Board of Nursing

ENTERED: January 6<sup>TH</sup>, 2011