



COMMONWEALTH of VIRGINIA

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Director

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Virginia Board of Nursing
Jay P. Douglas, RN, MSM, CSAC
Executive Director

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March 5, 2007

Elvia D. Myers, L.P.N.
213 Burch's Mill Road
Urbanna, Virginia 23175

CERTIFIED MAIL
71603901984942359383

Dear Ms. Myers:

Enclosed is a certified true copy of the Order entered by the Virginia Board of Nursing, which approves your application for reinstatement of your license to practice as a practical nurse in the Commonwealth of Virginia. The Board will issue you a license marked, "**VALID IN VIRGINIA ONLY**".

Sincerely,

A handwritten signature in cursive script that reads "Gloria D. Mitchell".

Gloria D. Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director, Discipline

GDM/bl

Enclosure

cc: Sandra W. Ryals, Director, Department of Health Professions
Anne G. Joseph, Deputy Director for Administrative Proceedings
Andria Christian, Senior Investigator (110414)
Peggy Wood, Intervention Program Manager

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: ELVA MYERS, L.P.N. REINSTATEMENT APPLICANT
License No.: 0002-041486

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on February 27, 2007, in Henrico County, Virginia. Ms. Myers was present and was not represented by counsel. Jane Elliott, R.N., Ph.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Elva Myers was issued license number 0002-041486 to practice nursing in Virginia on May 19, 1989. The license was suspended on May 26, 1998, due to her conviction of certain felony offenses and her falsification of employment applications. By Order entered December 15, 2003, the Board denied Ms. Myers' first application for reinstatement of her license. Ms. Myers submitted a second application for reinstatement of the license on April 20, 2006.
2. By letter dated January 26, 2007, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Myers notifying her that an informal conference would be held on February 27, 2007. The Notice was sent by certified and first class mail to 213 Burch's Mill Road, Urbanna, Virginia 23175, the address of record on file with the Board of Nursing.
3. Ms. Myers' license to practice practical nursing in Maryland was revoked by the Maryland Board of Nursing by Order entered July 14, 2005, as a result (in part) of the Virginia Board of Nursing's action in 1998.
4. On her application for reinstatement of her Virginia license, Ms. Myers failed to disclose the fact that her Maryland license had been revoked.

5. Ms. Myers stated that she had not notified the Maryland Board of Nursing that her address had changed and did not receive the Order of Revocation from the Maryland Board. It is noted in the Maryland Order of Revocation that notice of the proceedings, sent by both certified and regular mail, had been returned to the Maryland Board as “attempted, unknown address.”
6. Ms. Myers’ primary state of residence is Virginia.
7. Ms. Myers stated that she is self-employed as a commercial truck driver and has started a publishing and record business.
8. Ms. Myers has satisfied all terms of sentencing and probation related to the 1998 felony convictions.
9. Ms. Myers denied any history of or current abuse of alcohol or controlled substances.
10. Ms. Myers submitted evidence of having completed 15 continuing education credits.
11. Ms. Myers stated that she understood the importance of being truthful on any applications she might complete.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact #3 constitutes a violation of § 54.1-3007(7) of the Code.
2. Ms. Myers otherwise meets the requirements of § 54.1-3011 of the Code.

ORDER

WHEREFORE, it is hereby ORDERED that the license of Elva Myers be, and hereby is, REINSTATED. Ms. Myers shall be issued a single state license marked “Valid in Virginia Only.”

Ms. Myers shall maintain a course of conduct in her practice of practical nursing commensurate with the requirements of Title 54.1, Chapter 30 of the Code and the Board of Nursing Regulations.

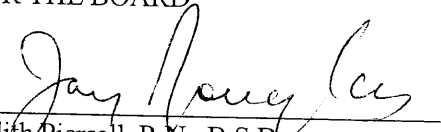
This Order is subject to appeal to the Board. If Ms. Myers desires a formal administrative hearing before the Board pursuant to Sections 2.2-4020 and 2.2-4021 of the Code, she must notify Jay P. Douglas, R.N., M.S.M.,

Order - Elva Myers, L.P.N.
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C.S.A.C., Executive Director, Board of Nursing, 6603 West Broad Street, Richmond, Virginia 23230, in writing, within thirty-three (33) days from the date of service of this Order. Upon the filing of a request for the hearing with the Executive Director, this Order shall be vacated.

Pursuant to Section 54.1-2400.2 of the Code, 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.

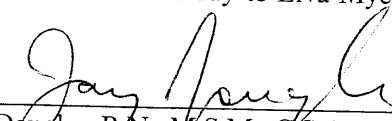
FOR THE BOARD


to Judith Piersall, R.N., B.S.B.
President
Virginia Board of Nursing

Entered: March 5th, 2007

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed this day to Elva Myers, 213 Burch's Mill Road, Urbanna, Virginia 23175.


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

March 5th, 2007
DATE