

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

**IVY McCALL, C.N.A. REINSTATEMENT APPLICANT
Certificate No.: 1401-127292**

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on April 5, 2016, in Henrico County, Virginia, to receive and act upon the application of Ivy McCall for reinstatement of her certificate to practice as a nurse aide in Virginia and to inquire into evidence that Ms. McCall may have violated certain laws governing nurse aide practice. Ms. McCall was present and was not represented by legal counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Ivy McCall was issued Certificate No. 1401-127292 to practice as a nurse aide in the Commonwealth of Virginia on November 22, 2008. Said certificate expired on November 30, 2014.
2. By letter dated February 29, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. McCall notifying her that an informal conference would be held on April 5, 2016. The Notice was sent by certified and first class mail to 1001 Hackney Brief, Virginia Beach, Virginia 23455, the address of record on file with the Board of Nursing.
3. Ms. McCall submitted an application for reinstatement of her certificate to practice as a nurse aide which was received by the Board on October 14, 2015.
4. On January 7, 2014, in the Circuit Court of Virginia Beach, Virginia, Ms. McCall was convicted of the following misdemeanors involving moral turpitude: two counts of petit larceny; two counts

of welfare fraud, failing to notify change in circumstances; and seven counts of fraudulently obtaining welfare assistance.

5. Ms. McCall was sentenced to 60 months incarceration, suspended, and ordered to make restitution in the amount of \$3,220.44 and pay court costs. Ms. McCall is on a payment plan and pays a minimum of \$50.00 a month; her payments are up-to-date.

6. Ms. McCall has been employed part-time providing private duty care for the past two years.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(4) of the Code.

2. The Committee concludes that Ivy McCall has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. The certificate of Ivy McCall to practice as a nurse aide in the Commonwealth of Virginia is hereby REINSTATED. Ms. McCall shall be issued an unrestricted certificate.


2. Ms. McCall shall maintain a course of conduct in her capacity as a nurse aide commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

Pursuant to §§ 2.2-4023 and 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 public record and shall be made available for public inspection or copying on request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. McCall may, not later than 5:00 p.m., on **June 3, 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 she 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.

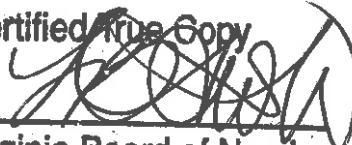
FOR THE COMMITTEE:



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

ENTERED: May 2, 2016

This Order shall become final on **June 3, 2016**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 

Virginia Board of Nursing