

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: MONICA D. MINOR, C.N.A. REINSTATEMENT APPLICANT**  
**License No.: 1401-026362**

**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”), Monica D. Minor, who, prior to its suspension by Order of the Director of the Department of Health Professions on March 30, 2007, held Certificate No. 1401-026362 to practice as a certified nurse aide in Virginia, 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 28, 2016, at 1:00 p.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. Minor will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Minor 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. Minor 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. Minor’s application for reinstatement of her certificate to practice as a nurse aide in Virginia which was mandatorily suspended by Order of the Director of the Department of Health Professions entered on March 30, 2007 and to inquire into evidence that Ms. Minor may have violated certain laws and regulations governing certified nurse aide practice in Virginia, as more fully set forth in the Statement of Particulars below.

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

Pursuant to § 54.1-2409 of the Code, reinstatement of Ms. Minor'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. Ms. Minor may have violated §54.1-3007(4) of the Code, as evidenced by the following:
  - a. In the Circuit Court for the City of Colonial Heights, Virginia, Ms. Minor was convicted of one count felony credit card theft and one count felony grand larceny on or about April 1, 2008.
  - b. In the Circuit Court for the County of Chesterfield, Virginia, Ms. Minor was convicted of one count felony credit card theft on or about March 12, 2008 and one count felony petit larceny on or about September 4, 2008.
  - c. In the Circuit Court for the City of Richmond, Virginia, Ms. Minor was convicted of felony grand larceny on or about October 2, 2008.
  - d. In the Circuit Court for the County of Henrico, Virginia, Ms. Minor was convicted of one count felony credit card forgery and one count felony credit card theft on or about May 13, 2004. She was convicted of one count felony embezzlement on or about March 31, 2004. She was convicted of one count felony credit card fraud, one count felony petit larceny and one count felony grand larceny on or about June 4, 2008.
2. Ms. Minor may have violated §54.1-3007(1) of the Code and 18 VAC 90-25-100(1)(b) of the Regulations Governing the Certification of Nurse Aides ("Regulations") in that, on her application for reinstatement of nurse aide certification received by the Board on or about November 20, 2015, Ms. Minor answered "no" to the question asking if she had a mental, physical, or chemical dependency condition which

could interfere with her current ability to practice as a nurse aide. In fact, Ms. Minor has a significant history of major depressive disorder, which requires medication and treatment.

3. Ms. Minor may have violated §54.1-3007(6) of the Code in that she may be unsafe to practice as a certified nurse aide due to mental illness and/or chemical dependency, as evidenced by the following:

a. While incarcerated in or about 2009 through 2015, Ms. Minor received mental health treatment for diagnoses including major depressive disorder, recurrent, moderate, posttraumatic stress disorder, other specified personality disorder (paranoid, borderline, and antisocial personality traits) and opioid use disorder, moderate, in sustained remission in controlled environment.

b. Beginning on or about July 22, 2015, Ms. Minor received psychiatric treatment at the Alexandria Community Services Board, Alexandria, Virginia, for diagnoses of major depressive disorder, recurrent with psychotic features and generalized anxiety disorder. Additionally, Ms. Minor reported to her treatment provider on or about July 31, 2015 that she had experienced auditory hallucinations.

c. Ms. Minor reported to her treatment provider at Alexandria Community Services Board that she had previously received inpatient psychiatric treatment at Tucker Pavilion at CJW Medical Center, Richmond, Virginia for one week in 2001 and at Poplar Springs Hospital, Petersburg Virginia on numerous occasions during a three-month period in 2007 for depressive symptoms.

d. Ms. Minor reported to her treatment provider at Alexandria Community Services Board that she had attempted suicide by overdosing on cocaine in or about 2001.


4. Ms. Minor may have violated §54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-25-100(2)(e) of the Regulations in that during the course of her employment with Care Advantage, Colonial Heights, Virginia, on or about February 7, 2006, Ms. Minor took Patient A on an unapproved outing and left the patient unattended, during which time Patient A suffered a fall.

5. Ms. Minor may have violated §54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-25-100(2)(h) of the Regulations in that during the course of her employment with Professional Nursing Services, Richmond, Virginia, in or about October through November 2006, Ms. Minor stole a credit card and \$300.00 belonging to Patient B. Additionally, Ms. Minor stole a credit card belonging to Patient B's daughter and another credit card belonging to Patient B's housekeeper.

Please see Attachment I for the name of the patients referred to above.

If the Board finds that Monica D. Minor, C.N.A., is in violation of the above allegation(s) and § 54.1-3007(8) of the Code, the Board shall make a Finding of Abuse, Neglect, or Misappropriation of patient property, which will be entered in the Virginia Nurse Aide Registry pursuant to 42 CFR § 483.156(b)(2) and (c)(1)(iv)(D) of the Code of Federal Regulations. According to 42 CFR § 483.13(c)(1)(ii)(B), such a finding will prohibit Ms. Minor's future employment as a certified nurse aide in any long term care facility which receives Medicare or Medicaid reimbursement.

FOR THE BOARD

  
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Sr Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director for the  
Board of Nursing

ENTERED: January 14, 2016