

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

MONICA D. MINOR MOORE

ORDER

Pursuant to § 9-6.14:11, § 54.1-3010 and § 54.1-2400(10) of the Code of Virginia (1950), as amended, a Special Conference Committee of the Board of Nursing (the "Board") met on November 16, 1998, in Henrico County, Virginia, to receive and act upon evidence regarding the petition of Monica D. Minor Moore for reinstatement of her certificate to practice as a nurse aide in the Commonwealth of Virginia, which expired on October 31, 1993, and to receive and act upon evidence that she may have violated certain laws and regulations governing nurse aide practice in Virginia. Ms. Moore was present and was not represented by counsel.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Monica D. Minor Moore previously held Certificate No. 1401-026362 to practice as a nurse aide, which was issued by the Board, and expired on October 31, 1993.
2. On or about March 17, 1994, Ms. Moore was mailed a certified letter which informed her that her certificate expired on October 31, 1993, and that the Board received a report of an investigation which could form the basis for allegations. Further, the letter stated that when she requested reinstatement of her certificate to practice as a nurse aide, a hearing would be held to hear evidence in response to the allegations set forth in the letter.
3. In the Fall of 1991, Ms. Moore falsified her application for certification as a certified nurse aide in the Commonwealth, in that she failed to indicate that she had been convicted of multiple felonies and misdemeanors, as detailed below.
4. On or about August 18, 1986, in the City of Richmond General District Court, Richmond, Virginia, Ms. Moore was convicted of two (2) counts of assault, misdemeanors. She was

sentenced to twelve (12) months in jail for each count, with all suspended, conditioned upon her being of good behavior and keeping the peace for three (3) years. Further, she was ordered to leave both individuals alone at their places of employment or anywhere else.

5. On or about August 18, 1986, in the City of Richmond General District Court, Ms. Moore was convicted of intentionally damaging property, specifically an automobile, by placing sugar into the gas tank. She was sentenced to twelve (12) months in jail, with all suspended, conditioned upon her being of good behavior for five (5) years.
6. On or about July 16, 1987, in the City of Richmond General District Court, Ms. Moore was convicted of unauthorized use of a vehicle, a misdemeanor. She was sentenced to twelve (12) months in jail, with all suspended, conditioned upon her being of good behavior and keeping the peace for three (3) years.
7. On or about October 14, 1987, in the Circuit Court of the County of Henrico, Henrico County, Virginia, Ms. Moore was convicted of grand larceny, a felony. She was sentenced to confinement in the penitentiary for ten (10) years, suspended for twenty (20) years, on the condition that she serve ninety (90) days in jail, keep the peace and be of good behavior, and ordered to pay court costs.
8. On or about July 27, 1988, in Henrico County General District Court, Henrico County, Virginia, Ms. Moore was convicted of larceny. She was sentenced to twelve (12) months in jail, with all suspended, conditioned upon her being of good behavior and keeping the peace for five (5) years.
9. On or about June 2, 1988, in the Circuit Court of the County of Henrico, Ms. Moore was convicted of two (2) felonies, to wit: credit card theft, and petit larceny, third offense. On or about July 27, 1988, she was sentenced; with respect to the conviction of petit larceny, third offense, to confinement in the penitentiary for five (5) years. With respect to the conviction of credit card theft, she was sentenced to confinement in the penitentiary for five (5) years, with all

suspended, conditioned upon her keeping the peace, being of good behavior for ten (10) years, and payment of court costs.

10. On or about February 1, 1993, in the Circuit Court of the County of Henrico, Ms. Moore was convicted of petit larceny, third offense, a felony. She was sentenced to confinement in the penitentiary for four (4) years, and ordered to pay court costs.
11. On or about May 7, 1993, in the Circuit Court of the County of Henrico, Ms. Moore appeared pursuant to a Show Cause Order entered April 23, 1993. A previously suspended sentence from 1988 was revoked, and she was sentenced to confinement in the penitentiary for a period of five (5) years.
12. Ms. Moore has not been employed in the nurse aide profession since 1993.
13. Ms. Moore failed to provide evidence that she is safe and competent to resume the practice of a certified nurse aide in the Commonwealth.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Committee concludes that Monica D. Minor Moore has violated § 54.1-3007(1), (2), (4) and (5) of the Code, and 18 VAC 90-20-360(1)(b) [formerly 5.6.1.b] of the Board of Nursing Regulations. Further, the Committee concludes that Ms. Moore has not met the requirements of § 54.1-3009 of the Code and therefore is not competent to return to practice as a nurse aide with reasonable skill and safety to her patients.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS that the petition for reinstatement of Monica D. Minor Moore's certificate to practice as a nurse aide in the Commonwealth of Virginia, be, and hereby is DENIED.

Pursuant to § 9-6.14:14 of the Code of Virginia (1950), as amended, 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.

If Ms. Moore does not consent to the Committee's decision and desires a hearing before the

Board or a panel thereof, she shall notify, in writing, Nancy K. Durrett, R.N., Executive Director of the Board of Nursing, within thirty-three (33) days from the date of entry of this Order. This Order shall become final upon the expiration of the thirty-three (33) day period unless a written request for a formal hearing is received within such time. Upon receiving timely request for a hearing, the Board or a panel thereof shall then proceed with a hearing provided in § 9-6.14:12 of the Code.

FOR THE BOARD

Nancy K. Durrett
Nancy K. Durrett, R.N., M.S.N.
Executive Director for the
Board of Nursing

ENTERED: November 20, 1998

Certificate of Service

I hereby certify that a certified true copy of the Order was mailed on this day to Monica D. Minor Moore, 2300 Mariner Drive, Apt. F, Richmond, Virginia 23234.

Nancy K. Durrett
Nancy K. Durrett, R.N., M.S.N.
Executive Director for the
Board of Nursing

November 20, 1998
DATE