

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: JESSICA NEEDHAM, R.M.A. APPLICANT**

**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 August 17, 2015 in Henrico County, Virginia, to receive and act upon the application of Jessica Needham for registration by examination to practice as a medication aide and to inquire into allegations that grounds may exist to deny said application. Ms. Needham was present and was represented by Richard Kennedy, Esquire.

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

**FINDINGS OF FACT**

1. On April 20, 2015, Jessica Needham submitted an application for registration by examination to practice as a medication aide in the Commonwealth of Virginia.
2. By letter dated July 9, 2015, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Needham notifying her that an informal conference would be held on August 18, 2015. The Notice was sent by certified and first class mail to 4011 Carter Cave Road, Blackwater, Virginia 24221, the address of record on file with the Board of Nursing.
3. Ms. Needham previously held a license to practice practical nursing in Virginia. Said license was revoked by Order of the Board of Nursing entered April 5, 2012, based on findings that she had obtained drugs by fraud.

4. On November 7, 2012, in the Circuit Court of Lee County, Virginia, Ms. Needham was convicted of five felony counts of obtaining drugs by fraud, five felony counts of conspiring to obtain drugs by fraud, two felony counts of possession of a Schedule II drug, and two misdemeanor counts of possession of a Schedule III drug.

5. As a result of her criminal convictions, Ms. Needham was incarcerated for approximately 110 days and was ordered to pay restitution and court costs. She provided evidence that she has been released from probation and has paid all restitution and costs.

6. Ms. Needham stated at the informal conference that she fraudulently obtained all controlled drugs for the use of others. She did receive compensation of \$100 per prescription that she filled. She denied any substance abuse or that she used any of the medications herself. She fully acknowledged and accepted her responsibility for her criminal acts.

7. Ms. Needham began working as a personal care aide at Kingston Center assisted living facility in May 2014. Her employer is fully supportive of her working as a medication aide in that facility.

#### **CONCLUSIONS OF LAW**

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2) of the Code and 18 VAC 90-60-120(2)(g) of the Regulations Governing the Registration of Medication Aides.

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

3. The Committee concludes that Ms. Needham otherwise meets the requirements of § 54.1-3042 of the Code.

#### **ORDER**

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

1. The application of Jessica Needham for registration to practice as a medication aide in Virginia is APPROVED. Upon successful completion of the Medication Aide examination, Ms. Needham

shall be issued an unrestricted registration to practice as a medication aide.

2. Ms. Needham shall maintain a course of conduct in her capacity as a medication 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. Needham may, not later than 5:00 p.m., on October 6, 2015, 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:

*for* Alain Mitchell-Lively  
Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.  
Executive Director, Virginia Board of Nursing

ENTERED: September 3<sup>rd</sup>, 2015

This Order shall become final on October 6, 2015; unless a request for a formal administrative hearing is received as described above.

**Certified True Copy**  
By [Signature]  
Virginia Board of Nursing