

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE: DENITA MILTRAIL WINFIELD, C.N.A.**  
**Certificate Number: 1401-134937**  
**Case Number: 172706**

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**ORDER**

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**JURISDICTION AND PROCEDURAL HISTORY**

Pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing (“Board”) held a formal administrative hearing on May 19, 2016, in Henrico County, Virginia, to receive and act upon Denita Miltrail Winfield’s application for reinstatement of her certificate to practice as a nurse aide in the Commonwealth of Virginia.

Denita Miltrail Winfield, C.N.A. appeared at this proceeding and was not represented by legal counsel.

**NOTICE**

By letter dated April 28, 2016, the Board of Nursing sent a Notice of Formal Hearing (“Notice”) to Ms. Winfield notifying her that a formal administrative hearing would be held on May 19, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

**FINDINGS OF FACT**

1. Denita Miltrail Winfield, C.N.A., was issued Certificate No. 1401-134937 to practice as a nurse aide in the Commonwealth of Virginia on February 3, 2010. Said certificate was mandatorily

suspended pursuant to Virginia Code § 54.1-2409 by Order of the Department of Health Professions entered on August 24, 2015.

2. Ms. Winfield submitted an application for reinstatement of said certificate to the Board on March 15, 2016.

3. On September 23, 2013, in the Circuit Court of Chesterfield County, Ms. Winfield pled guilty to and was convicted of one felony count of possession of a firearm on school property. She was sentenced to incarceration for three years, with all suspended. Ms. Winfield was placed on unsupervised probation for a period of five years. This conviction formed the basis of the mandatory suspension of Ms. Winfield's certificate by the Virginia Department of Health Professions.

4. Ms. Winfield has not worked as a nurse aide since her suspension in 2015.

5. Ms. Winfield explained that the conviction in Finding of Fact No. 3 was due to her having a firearm in her car because she had been at a shooting range and then went to pick up her daughter from school.

6. Ms. Winfield told the Board that she desires to pursue becoming a registered nurse. She would like to return to practice in a hospital or nursing home.

### CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of Virginia Code § 54.1-3007(4).

2. Denita Miltrail Winfield has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner.

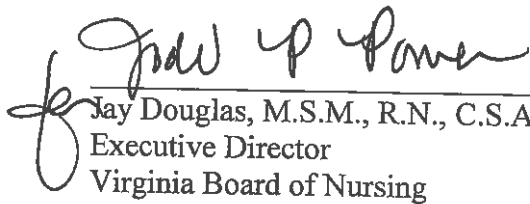
**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. WHEREFORE, the Virginia Board of Nursing, by affirmative vote of at least three-fourths of the members of the Board at the proceeding, effective upon entry of this Order, ORDERS that the certification issued to Denita Miltrail Winfield to practice as a nurse aide in the Commonwealth of Virginia is REINSTATED without restriction.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, 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


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

ENTERED AND MAILED ON:

June 16, 2016

**NOTICE OF RIGHT TO APPEAL**

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay Douglas, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

**Certified True Copy**  
By   
**Virginia Board Of Nursing**