

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: CHRISTOPHER POINDEXTER, C.N.A. REINSTATEMENT APPLICANT
Certificate No.: 1401-115845

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on July 16, 2015, in Henrico County, Virginia, to receive and act upon Christopher Poindexter's application for reinstatement of her certificate to practice as a certified nurse aide in Virginia, which expired on September 30, 2013. The case was presented by Wendy Deaner, Adjudication Specialist, Administrative Proceedings Division. Charis Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Poindexter was not present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

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

FINDINGS OF FACT

1. Christopher Poindexter was issued Certificate No. 1401-115845 to practice as a certified nurse aide in the Commonwealth of Virginia on September 21, 2006. Said certificate expired on September 30, 2013.
2. Based upon the representations of Wendy Deaner, Adjudication Specialist, and Commonwealth's Exhibit No. 1, the Amended Notice of Formal Hearing and Statement of Particulars, Allegation Summary Worksheet, and Amended Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to the respondent and the hearing proceeded in her absence.
3. Ms. Poindexter submitted an application for reinstatement of her certificate which was received by the Board on September 15, 2014.

4. On June 9, 2004, in the General District Court of Franklin County, Virginia, Ms. Poindexter was convicted of misdemeanor passing a bad check. Ms. Poindexter was sentenced to 20 days in jail with 20 days suspended and ordered to pay a \$20.00 fine.

5. On April 10, 2013, in the General District Court of Franklin County, Virginia, Ms. Poindexter was convicted of one count of misdemeanor passing a bad check. Ms. Poindexter was sentenced to 10 days in jail with 10 days suspended and ordered to pay a \$20.00 fine.

6. On May 8, 2013, in the Circuit Court of Franklin County, Virginia, Ms. Poindexter was convicted of one count of felony larceny, third or subsequent offense. At her sentencing on September 16, 2014, Ms. Poindexter was sentenced to 12 months in the Virginia Department of Corrections ("DOC"); 11 months and 20 days were suspended for a period of 2 years, contingent on Ms. Poindexter's good behavior.

7. On November 13, 2014, Ms. Poindexter was found guilty of one count of felony forgery of a public document and one count of uttering a forged public document in the Circuit Court for Franklin County, Virginia. At her sentencing on December 23, 2014, Ms. Poindexter was sentenced to four years in the Virginia DOC with 2 years and 11 months suspended contingent upon five years of good behavior. In addition, Ms. Poindexter was placed on supervised probation for a period of one year and six months.

CONCLUSIONS OF LAW

The Board concludes that:

1. Findings of Fact Nos. 4, 5 and 6 constitute a violation of §54.1-3007(4) of the Code.
2. Ms. Poindexter has not demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner.

ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS that the application of Christopher Poindexter for reinstatement of her certificate to practice as a certified nurse aide in the Commonwealth of Virginia is hereby DENIED.

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.

FOR THE BOARD

Jay P. Douglas

Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing

August 6, 2015

ENTERED

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 P. Douglas, MSM, RN, CSAC, FRE, 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 *dgraham*

Virginia Board Of Nursing