

RECEIVED

JUL 16 2015

VA BD OF NURSING

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: MARY E. CARTER, C.N.A. REINSTATEMENT APPLICANT
Certificate No.: 1401-026318**

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Mary E. Carter, as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Carter's application for reinstatement of her certificate to practice as a nurse aide in the Commonwealth of Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Mary E. Carter was issued Certificate No. 1401-026318 to practice as a nurse aide by the Virginia Board of Nursing on October 19, 1991. Said certificate expired on October 31, 2001.
2. Ms. Carter submitted an application for the reinstatement of her certificate which was received by the Board on June 3, 2015.
3. On October 20, 2014, Ms. Carter was convicted in the General District Court of Fairfax County, Virginia, of one count of petit larceny, a misdemeanor involving moral turpitude. She was sentenced to 12 months incarceration with 12 months suspended and was placed on 12 months unsupervised probation. She was also ordered to pay fines and costs.
4. Ms. Carter paid all fines and restitution on November 14, 2014.
5. Ms. Carter has not performed nursing related activities for compensation in over two years.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(4) of the Code of Virginia (1950), as amended ("Code").
2. Pursuant to Finding of Fact No. 5 and 18 VAC 90-25-80(A)(4) of the Regulations Governing Certified Nurse Aides, Ms. Carter is required to retake the National Nurse Aide Assessment Program ("NNAAP") examination.

3. Ms. Carter otherwise meets the requirements for reinstatement of her certificate to practice as a nurse aide.

CONSENT

Mary E. Carter, by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Consent Order affecting her application for the reinstatement of her certificate to practice as a nurse aide in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Consent Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. The application of Mary E. Carter for reinstatement of her certification to practice as a nurse aide is hereby APPROVED. Upon successful completion of the NNAAP examination, the Board shall issue Ms. Carter an unrestricted certificate to practice as a nurse aide in the Commonwealth of Virginia.
2. Ms. Carter is hereby REPRIMANDED.
3. Ms. Carter shall maintain a course of conduct in her capacity as a nurse 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 Consent 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 upon request.

FOR THE BOARD

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

ENTERED: July 22nd, 2015

SEEN AND AGREED TO:

Mary E Carter
Mary E. Carter

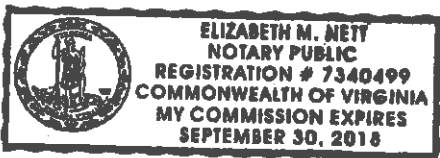
COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Fairfax, TO WIT:

Subscribed and sworn to before me, Elizabeth Nett a Notary Public, this 14 day of July, 2015

My commission expires September 30, 2018.

Registration Number 7340499.

Elizabeth M. Nett
NOTARY PUBLIC



Certified True Copy

By [Signature]
Virginia Board Of Nursing