

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: DEMITRIUS VAUGHAN, C.N.A., L.P.N. APPLICANT
Certificate No. 1401-023300

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Demitrius Vaughan, C.N.A., as evidenced by his signature hereto, enter into the following Consent Order affecting Mr. Vaughan's certificate to practice as a nurse aide and his application for licensure by repeat examination to practice practical nursing in Virginia.

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

FINDINGS OF FACT

1. Demitrius Vaughan, C.N.A., was issued Certificate No. 1401-023300 to practice as a nurse aide by the Virginia Board of Nursing on May 18, 1991. Said certificate is set to expire on May 31, 2013. His primary state of residence is Virginia.
2. Mr. Vaughan submitted an application for licensure by repeat examination to practice practical nursing, which was received by the Board on March 1, 2013.
3. Mr. Vaughan initially applied for licensure by examination to practice practical nursing on May 25, 2007, and was authorized to practice nursing as an LPN Applicant until September 20, 2007, when he failed the NCLEX-PN examination.
4. Mr. Vaughan was hired by Manor Care – Stratford Hall, Richmond, Virginia, as an LPN Applicant on June 27, 2007. He filled in as a nurse aide as needed. Between September 28, 2007, and March 14, 2008, Mr. Vaughan practiced as a practical nurse without a license and without authorization as an LPN Applicant. His nursing practice included passing medications and providing treatments to residents. He signed documents as "LPN Applicant."

5. Mr. Vaughan’s employment with Manor Care – Stratford Hall was terminated in March 2008 when it was discovered that he had not passed the NCLEX-PN examination and was practicing nursing illegally.

6. There was no patient harm noted and there were no complaints regarding his practice as a certified nurse aide.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of §§ 54.1-3007(2), (3), and (5) and 54.1-3008(A)(2) and (4) of the Code of Virginia (1950), as amended (“Code”), 18 VAC 90-20-190(F)(1) and (3) and (G)(1) and 18 VAC 90-20-300(A)(2)(b) of the Regulations Governing the Practice of Nursing, and 18 VAC 90-25-100(2)(a) of the Regulations Governing Certified Nurse Aides.

2. Mr. Vaughan otherwise meets the requirements of § 54.1-3020 of the Code.

CONSENT

Demetrius Vaughan, by affixing his signature hereon, agrees to the following:

1. He has been advised to seek advice of counsel prior to signing this document;
2. He acknowledges that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. He acknowledges that he 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 him;
4. He waives all such right to an informal conference;
5. He admits to the Findings of Fact and Conclusions of Law contained herein and waives his right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;

6. He consents to the entry of the following Order affecting his right to practice as a certified nurse aide and his application for licensure to practice practical nursing in Virginia.

ORDER

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


1. The application of Demitrius Vaughan, C.N.A., for licensure by repeat examination to practice practical nursing is APPROVED. Upon successful completion of the NCLEX-PN examination, Mr. Vaughan shall be issued an unrestricted license.

2. Mr. Vaughan is hereby REPRIMANDED.

3. Mr. Vaughan shall maintain a course of conduct in his capacity as a certified nurse and aid as a practical nurse 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 upon request.

FOR THE BOARD



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

ENTERED: April 11TH 2013

SEEN AND AGREED TO:

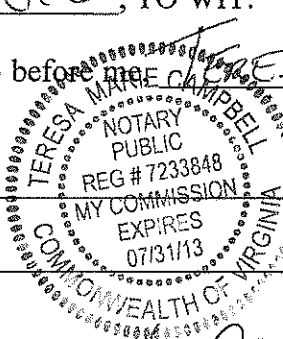
X Demetrius Vaughan C.N.A.
Demetrius Vaughan, C.N.A.

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

Subscribed and sworn to before me Teresa Campbell a Notary Public, this 9th day of APRIL, 2013

My commission expires _____

Registration Number _____



Teresa Marie Campbell
NOTARY PUBLIC

Certified True Copy

By [Signature]
Virginia Board Of Nursing