

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: BRENDA MAYES, C.N.A. REINSTATEMENT APPLICANT
Certificate No.: 1401-060887

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 April 1, 2015 in Henrico County, Virginia, to receive and act upon Brenda Mayes’ application for reinstatement of her certificate to practice as a certified nurse aide in Virginia and to inquire into allegations that grounds may exist to deny said application. Ms. Mayes was not present and was not represented by counsel.

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

FINDINGS OF FACT

1. Brenda Mayes, was issued Certificate No. 1401-060887 to practice as a certified nurse aide in the Commonwealth of Virginia on July 13, 1996. Said certificate expired on July 31, 2004. Ms. Mayes is currently certified as a nurse aide in North Carolina. Said certificate is set to expire on June 30, 2016.
2. By letter dated March 3, 2015, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Mayes notifying her that an informal conference would be held on April 1, 2015. The Notice was sent by certified and first class mail to 400 Clemson Avenue, Chesapeake, Virginia, 23324, the address of record on file with the Board of Nursing. The Notice sent by certified mail was delivered on March 5, 2015, and the first class mail was not returned to the Board office. The Committee Chair concluded that adequate notice was provided to Mr. Mayes and the informal conference proceeded in her absence.

3. Ms. Mayes submitted an application for reinstatement of her certificate to practice as a certified nurse aide which was received by the Board on October 6, 2014.

4. On her application for reinstatement to practice as a certified nurse aide in the Commonwealth of Virginia, received by the Board on October 6, 2014, Ms. Mayes falsely answered “no” to the question pertaining to prior criminal misdemeanor or felony convictions. On October 14, 1999, Ms. Mayes was convicted of one count of misdemeanor passing a bad check, a crime of moral turpitude, in the Chesapeake, Virginia, Circuit Court.

5. During the course of her employment with Carrington Place of Chesapeake, Chesapeake, Virginia, between August 2014 and September 2014, Ms. Mayes was employed as a certified nurse aide; however, she did not hold a current Virginia nurse aide certificate.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of §54.1-3007(1) of the Code and 18 VAC 90-25-100(1)(b) of the Regulations Governing Certified Nurse Aides.

2. The Committee concludes that Ms. Mayes has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner.

ORDER

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

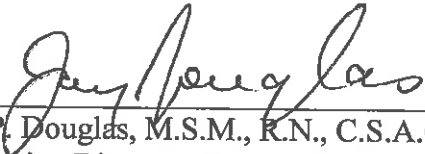
1. The certificate of Brenda Mayes to practice as a certified nurse aide in the Commonwealth of Virginia is hereby REINSTATED without restriction.

2. Ms. Mayes shall maintain a course of conduct in her capacity as a certified 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 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. Mayes may, not later than 5:00 p.m., on **May 18, 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.

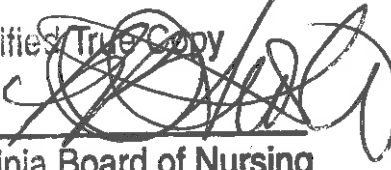
FOR THE COMMITTEE:



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

ENTERED: April 16th, 2015

This Order shall become final on **May 18, 2015**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 
Virginia Board of Nursing