

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: PATRICE AUSTIN, C.N.A. APPLICANT

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Virginia Board of Nursing ("Board") on November 4, 2014, in Henrico County, Virginia. Ms. Austin was not present and was not represented by legal counsel. Nancy Durrett, R.N., M.S., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On January 27, 2015, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Austin was not present nor was she represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Patrice Austin submitted an application for certification by endorsement as a nurse aide. Ms. Austin holds a certificate to practice as a nurse aide in the State of North Carolina, which is scheduled to expire in June, 2015.
2. By letter dated October 18, 2014, the Virginia Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Austin notifying her that an informal conference would be held on November 4, 2014. The Notice was sent by certified and first class mail to 14657 Harry Allen Place, Woodbridge, Virginia 22193, the address of record on file with the Board of Nursing. The certified mail receipt was signed and returned to the Board. The first class mail was not returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Austin and the informal conference proceeded in her absence.
3. Between November, 2000, and March, 2012, in the Johnston County North Carolina General Court of Justice, Ms. Austin was convicted of four counts of issuing worthless checks, misdemeanor crimes

involving moral turpitude.

CONCLUSIONS OF LAW

Finding of Fact #3 constitutes a violation of §54.1-3007(4) of the Code.

ORDER


1. The application of Patrice Austin for Certification by Endorsement as a Nurse Aide is APPROVED.

2. Patrice Austin, C.N.A., is hereby REPRIMANDED

Pursuant to § 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 a public record, and shall be made available for public inspection and copying upon request.

Since Ms. Austin failed to appear at the informal conference, this Order shall be considered final. Ms. Austin has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Ms. Austin has 30 days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three days are added to that period.

FOR THE BOARD


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

Entered: February 2, 2015