

BEFORE THE VIRGINIA BOARD OF NURSING

**IN RE: HELEN DORNISIE STOKES SINCLAIR, C.N.A. REINSTATEMENT
APPLICANT**
Certificate Number: 1401-039024
Suspension Date: December 1, 2014
Case Number: 177163

**NOTICE OF INFORMAL CONFERENCE
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that an Informal Conference has been scheduled before the Board of Nursing ("Board") regarding your application for reinstatement of your certificate to practice as a nurse aide in the Commonwealth of Virginia following its suspension by the Board and your petition for removal of a finding of neglect based on a singular occurrence, pursuant to an Order entered December 1, 2014.

TYPE OF PROCEEDING:	This is an informal conference before a Special Conference Committee ("Committee") of the Board.
DATE AND TIME:	June 6, 2017 2:00 P.M.
PLACE:	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd Floor - Virginia Conference Center Henrico, Virginia 23233

LEGAL AUTHORITY AND JURISDICTION:

1. This informal conference is being held pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.
2. The burden rests on you, as the applicant, to demonstrate that you are prepared to resume the safe and competent practice as a certified nurse aide.
3. In considering your application, the Committee will consider evidence that grounds exist to deny your application for reinstatement of your certificate to practice as a nurse aide, as more fully set out in the enclosed Statement of Allegations.
4. At the conclusion of the proceeding, the Committee is authorized to take any of the following actions:
 - Approve your application and petition and issue an unrestricted certificate to practice as a nurse aide.

- Approve your application and petition and issue a reprimand, a monetary penalty, and/or a restricted certificate subject to terms and conditions.
- Deny your application and petition; or
- Refer the matter to the Board for a formal administrative hearing.

ABSENCE OF APPLICANT AND APPLICANT'S COUNSEL:

If you fail to appear at the informal conference, the Committee may proceed to hear this matter in your absence and may take any of the actions outlined above.

APPLICANT'S LEGAL RIGHTS:

You have the right to the information on which the Committee will rely in making its decision, to be represented by counsel at this proceeding, to subpoena witnesses and/or documents, and to present relevant evidence on your behalf.

INFORMAL CONFERENCE MATERIALS:

Enclosed is a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

FILING DEADLINES:

Deadline for filing materials: **May 30, 2017**. Submit 5 copies of all documents you want the Board to consider to Brenda Krohn, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.

REQUEST FOR A CONTINUANCE

Absent exigent circumstances, such as personal or family illness, a request for a continuance after **May 30, 2017**, will not be considered. If you obtain counsel, you should do so as soon as possible, as a motion for a continuance due to the unavailability of counsel will not be considered unless received by **May 30, 2017**.

OTHER IMPORTANT INFORMATION:

Pursuant to 18 VAC 90-25-81 of the Regulations Governing Certified Nurse Aides, the burden rests upon you, as the petitioner, to demonstrate that your employment and personal history do not reflect a pattern of abusive behavior or neglect.


STATEMENT OF ALLEGATIONS W

The Board alleges that grounds exist to refuse to reinstate the certificate of Helen Dornisie Stokes Sinclair, C.N.A. to practice as a nurse aide in that:

1. Ms. Sinclair violated Virginia Code § 54.1-3007(2) and 18 VAC 90-25-100(2)(f) of the Regulations Governing Certified Nurse Aides (“Regulations”) in that by Order of the Board entered December 1, 2014, Ms. Sinclair’s certificate was suspended based on findings of a singular occurrence of neglect.

2. Ms. Sinclair violated Virginia Code § 54.1-3007(2) and 18 VAC 90-25-100(2)(d) of the Regulations in that on her application for employment with North Roanoke Assisted Living Facility, Roanoke, Virginia, dated July 10, 2014, she failed to disclose her previous employment Hermitage in Roanoke, Roanoke, Virginia, where she had worked from on or about March 10, 2014 until her employment was terminated on or about March 25, 2014. Further, she falsely wrote that she had not been working for a while.



 Brenda Krohn, R.N., M.S.
Deputy Executive Director
Virginia Board of Nursing

May 4, 2017
Date