

BEFORE THE VIRGINIA BOARD OF NURSING

**IN RE: HELEN DORNISIE STOKES SINCLAIR, C.N.A. REINSTATEMENT
 APPLICANT
 License Number: 1401-039024
 Case Number: 177163**

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), a Special Conference Committee of the Virginia Board of Nursing (“Board”) held an informal conference on June 6, 2017, in Henrico County, Virginia, to receive and act upon Helen Dornisie Stokes Sinclair’s application for reinstatement of her certificate to practice as a nurse aide in the Commonwealth of Virginia and her petition for removal of a finding of neglect on a single occurrence.

Helen Dornisie Stokes Sinclair, C.N.A. Reinstatement Applicant did not appear at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated May 4, 2017, the Board sent a Notice of Informal Conference (“Notice”) to Ms. Sinclair notifying her that an informal conference would be held on June 6, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board. The certified mail receipt was signed and returned to the Board office. The Notice sent by first class mail was not returned to the office. Ms. Sinclair called the Board on June 5, 2017 and stated that she would not be able to attend the informal conference. Accordingly, the Committee Chair concluded that adequate notice was provided to Ms. Sinclair and the informal conference proceeded in her absence.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Helen Dornisie Stokes Sinclair, C.N.A., was issued Certificate Number 1401-039024 to practice as a nurse aide on July 17, 1993, which was indefinitely suspended by Order of the Board entered December 1, 2014. The Order was based on a finding of a singular occurrence of neglect.
2. On September 20, 2016, Ms. Sinclair submitted an application for reinstatement of her certificate to practice as a nurse aide in the Commonwealth of Virginia and a petition for removal of a finding of neglect based on a single occurrence.
3. As the applicant, Ms. Sinclair had the burden to demonstrate to the Board that she is safe and competent to resume practice as a nurse aide, and she did not appear.
4. 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 a finding of a singular occurrence of neglect.
5. 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 with Hermitage in Roanoke, Roanoke, Virginia, where she had worked from March 10, 2014 until her employment was terminated on March 25, 2014. Further, she falsely wrote that she had not been working for a while.
6. Ms. Sinclair failed to respond to contact attempts by the investigator for the Department of Health Professions.

ORDER

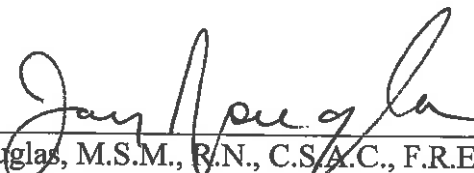
Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. The application of Helen Dornisie Stokes Sinclair, C.N.A., for reinstatement of her certificate to practice as a nurse aide is DENIED. Should she petition the Board for reinstatement of her certificate, an administrative proceeding will be convened to determine whether Ms. Sinclair is able to return to the safe and competent practice of certified nurse aides. Ms. Sinclair shall be responsible for any fees that may be required for the reinstatement and/or renewal of the certificate prior to issuance of the certificate to resume practice.

2. Ms. Sinclair's petition the Board for removal of a singular Finding of Neglect is DENIED.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, 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.

FOR THE BOARD



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

ENTERED AND MAILED: _____ 

Certified True Copy

By 

Virginia Board of Nursing

NOTICE OF RIGHT TO APPEAL

Pursuant to Virginia Code § 54.1-2400(10), Ms. Sinclair may, not later than 5:00 p.m., on August 1, 2017, notify Jay 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. This Order shall become final on August 1, 2017, unless a request for a formal administrative hearing is received as described above.