

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: BILLIE JO MARTIN, C.N.A.
Certificate No.: 1401-156649**

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 Board of Nursing ("Board") on September 9, 2014, in Henrico County, Virginia. Billie Jo Martin, C.N.A., was not present nor was she represented by legal counsel. Nancy Durrett, R.N., M.S., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On November 19, 2014, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Ms. Martin 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. Billie Jo Martin, C.N.A., was issued Certificate No. 1401-156649 to practice as a nurse aide in Virginia on November 7, 2012. The certificate is scheduled to expire on November 30, 2014.
2. By letter dated August 18, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Martin notifying her that an informal conference would be held on September 9, 2014. The Notice was sent by certified and first class mail to 100 Winger Avenue, Beckley, West Virginia 25801, the address of record on file with the Board of Nursing. The Notice was also sent to 777 Triangle Street, Apt. 303, Blacksburg, Virginia 24060, a secondary address. The Notices sent by

certified and first class mail were returned to the Board office marked “Unable to Forward.” The Notice sent by certified mail to the secondary address was returned to the Board marked “Unclaimed.” As of September 9, 2014, the Notice sent by first class mail had not been returned to the Board office. The Agency Subordinate concluded that adequate notice was provided to Ms. Martin and the informal conference proceeded in her absence.

3. On December 6, 2013, Ms. Martin was admitted to Lewis Gale Behavioral Health Pavilion (“Lewis Gale”), Salem, Virginia, where she was diagnosed with severe depression with suicidal ideations. On May 20, 2014, she was admitted to Lewis Gale via temporary detention order following a suicide attempt. Further, by her own admission, she used marijuana to self-medicate.

4. As of May 2, 2014, Ms. Martin’s current primary care physician stated to the investigator for the Department of Health Professions that Ms. Martin is not capable of practicing in her current condition.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

WHEREFORE, it is hereby ORDERED as follows:

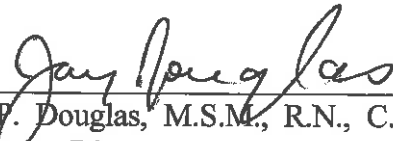
1. Certificate No. 1401-156649 of Billie Jo Martin, C.N.A., to practice as a nurse aide is INDEFINITELY SUSPENDED.
2. The certificate will be recorded as suspended and no longer current.
3. At such time as Ms. Martin shall petition the Board for reinstatement of her certificate, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice as a nurse aide. Ms. Martin shall be responsible for any fees that may be required for the reinstatement and renewal of the certificate prior to issuance of the certificate to

resume practice.

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. Martin failed to appear at the informal conference, this Order shall be considered final. Ms. Martin 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. Martin has (30) thirty 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: November 25th, 2014

Certified True Copy

By 
Virginia Board Of Nursing