

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

GALEN L. HENDERSON, C.N.A. APPLICANT

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Galen L. Henderson, as evidenced by his signature hereto, enter into the following Consent Order affecting Mr. Henderson's application for certification as a nurse aide by examination in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. By application received June 18, 2014, Galen L. Henderson applied for certification by examination as a nurse aide in the Commonwealth of Virginia.
2. Mr. Henderson has been convicted of several felonies. Specifically:
 - a. On September 11, 2000, Mr. Henderson was convicted in the Circuit Court for the City of Chesapeake, Virginia, of one count of breaking and entering, a felony. He was sentenced to five years incarceration, with all five years suspended on condition that he be of good behavior for five years, and indefinite supervised probation.
 - b. On November 14, 2000 and on August 20, 2003, Mr. Henderson was convicted in the Circuit Court for the City of Virginia Beach, Virginia, of one count of possession of marijuana with intent to distribute, each felonies. In each case he was sentenced to five years incarceration, with all time suspended in the first conviction and four years and two months suspended in the second conviction. He was placed on indefinite supervised probation on each conviction.

3. A letter dated July 31, 2014, from District 2 Probation and Parole indicated that Mr. Henderson was released from supervised probation early on January 11, 2010, and that he has served all of his time and all fines and costs have been paid.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(4) of the Code of Virginia (1950), as amended ("Code").
2. Mr. Henderson otherwise meets the requirements of § 54.1-3023 of the Code.

CONSENT

Galen L. Henderson, by affixing his signature hereon, agrees to the following:

1. He has been advised to seek advice of counsel prior to signing this document;
2. He acknowledges that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. He acknowledges that he has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against him;
4. He waives all such right to an informal conference;
5. He admits to the Findings of Fact and Conclusions of Law contained herein and waives his right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. He consents to the entry of the following Consent Order affecting his application for certification to practice as a nurse aide in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Consent Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. The application of Galen L. Henderson for certification as a nurse aide by examination is hereby APPROVED. Upon successful completion of the National Nurse Aide Assessment Program examination, the Board shall issue Mr. Henderson an unrestricted certificate to practice as a nurse aide in the Commonwealth of Virginia.

2. Mr. Henderson is hereby REPRIMANDED.

3. Mr. Henderson shall maintain a course of conduct in his capacity as a 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 Consent 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 upon request.

FOR THE BOARD



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

ENTERED: October 6th, 2014

SEEN AND AGREED TO:

Galen L. Henderson
Galen L. Henderson

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF POYTSMOUTH, TO WIT:

Subscribed and sworn to before me, Stephanie Edson, a Notary Public, this 29 day of September, 2014.

My commission expires 10/31/2017

Registration Number 7579558

STEPHANIE MARIE EDSON
NOTARY PUBLIC #7579558
Commonwealth of Virginia
My Comm Exp 10/31/2017

Stephanie Edson
NOTARY PUBLIC