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VA BD OF NURSING



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367-4400
FAX (804) 527-4475

September 10, 2014

Martha Ann Cregger McDiffet
344 Beverly Drive
Abingdon, VA 24210

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL

DATE 9/10/14

RE: Registration No.: 0031-002075

Dear Ms. McDiffet:

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your registration to practice as a registered medication aide in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered September 10, 2014. You are hereby advised that, pursuant to Section 54.1-2409.1 of the Code, any person who practices a profession or occupation after having their license, certificate or registration to do so suspended shall be guilty of a felony. Please return your registration to Jay P. Douglas, Executive Director of the Virginia Board of Nursing, at the above address, immediately upon receipt of this letter.

Section 54.1-2409 of the Code further provides that you may apply to the Board of Nursing ("Board") for reinstatement of your registration, and shall be entitled to a hearing not later than the next regular meeting of the Board after the expiration of sixty days from the receipt of such reinstatement application. You have the following rights, among others: to be represented by legal counsel, to have witnesses subpoenaed on your behalf, to present documentary evidence and to cross-examine adverse witnesses. The reinstatement of your registration shall require the affirmative vote of three-fourths of the members present of the Board of Nursing.

Should you wish to petition the Board of Nursing for reinstatement of your registration, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4639.

Sincerely,

Handwritten signature of Jaime H. Hoyle in black ink.

Jaime H. Hoyle, Esquire, Chief Deputy Director
Department of Health Professions

Enclosures
Case #156757

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: MARTHA ANN CREGGER MCDIFFET, R.M.A.
Registration No.: 0031-002075

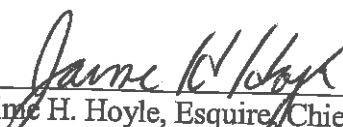
ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Jaime H. Hoyle, Esquire, Chief Deputy Director of the Virginia Department of Health Professions, received and acted upon evidence that Martha Ann Cregger McDiffet, R.M.A., convicted of felony charges in the Circuit Court in the County of Washington, Virginia, to wit: Four (4) Counts of Prescription Fraud. A certified copy of the Conviction and Sentencing Order is attached and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the privilege of Martha Ann Cregger McDiffet, R.M.A., to renew her registration to practice as a registered medication aide in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the registration of Martha Ann Cregger McDiffet, R.M.A., will be recorded as suspended and no longer current. Should Ms. McDiffet seek reinstatement of her registration pursuant to Section 54.1-2409 of the Code, she shall be responsible for any fees that may be required for the reinstatement and renewal of her registration prior to issuance of her registration to resume practice.

Pursuant to Sections 2.2-4023 and 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.



Jaime H. Hoyle, Esquire, Chief Deputy Director
Department of Health Professions

ENTERED: 9/10/2014



COMMONWEALTH of VIRGINIA

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Director

Department of Health Professions

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CERTIFICATION OF DUPLICATE RECORDS

I, Jaime H. Hoyle, Esquire, Chief Deputy Director of the Department of Health Professions, hereby certify that the attached Conviction and Sentencing Order entered August 13, 2014, regarding Martha Ann Cregger McDiffet, R.M.A., are true copies of the records received from the Circuit Court of the County of Washington, Virginia.



Jaime H. Hoyle, Esquire

Date: 9/10/2014

VIRGINIA: IN THE CIRCUIT COURT OF WASHINGTON COUNTY

FIPS Code: 191C
Hearing Date: August 5, 2014
Judge: Sage B. Johnson

COMMONWEALTH OF VIRGINIA

vs.

MARTHA ANN CREGGER, Defendant

SSN: XXX-XX- 8500
DOB: 5-31-1971
Sex: Female

CONVICTION AND SENTENCING ORDER

Case No.	Offense Description & Indicator	Offense Date	VA Code Section	VA Crime Code
14-344	Prescription Fraud (F)	10-25-13	§18.2-258.1	NAR3016F6
14-345	Prescription Fraud (F)	10-30-13	§18.2-258.1	NAR3016F6
14-346	Prescription Fraud (F)	11-28-13	§18.2-258.1	NAR3016F6
14-347	Prescription Fraud (F)	12-22-13	§18.2-258.1	NAR3016F6

Attorney for the Commonwealth: Marianne Woolf
Attorney for the Defendant: John Coleman (A)
Court Reporter: Lisa Webb

The DEFENDANT: was present was represented by counsel
 was not present was not represented by counsel

WAIVER OF FORMAL ARRAIGNMENT:

Defendant represented that he/she was familiar with the details of each and every charge against him/her and waived formal arraignment on the charges by executing a written waiver in open court, witnessed by his/her counsel.

PLEA OF DEFENDANT: Guilty Nole Conteste
 Not Guilty Alford Plea

The plea(s) was/were voluntarily and freely entered.

Following the avowal of the evidence by the Commonwealth and the stipulation to such by the defendant, the Court found the evidence sufficient to support a finding of guilt.

Pursuant to the provisions of Code § 19.2-298.01, the Court has considered and reviewed the applicable discretionary sentencing guidelines and the guidelines worksheets. The sentencing guideline worksheets and the written explanation of any departure from the guidelines are ordered filed as a part of the record in this case.

Before pronouncing the sentence the defendant was asked if he/she desired to make any statement or advance any reason as to why the court should not pronounce judgment in this case.

Whereupon, based upon the foregoing, the evidence presented/stipulated and the written plea agreement, the Court pronounced judgment as indicated below:

SENTENCE(S):

Case No. 14-344

GUILTY

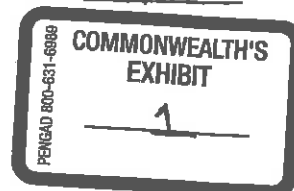
Penitentiary: 2 Years Months Days

\$ fine, and \$2275.00

Suspended Sentence: 2 Years Months Days \$ Fine

COPIES PROVIDED TO:

Com RMS (Probation, SWVRJ, DOC)
 Def Atty Other _____
 DMV
 Sent Commission Date: 8-14-14



Case No. 14-344
 GUILTY
 Penitentiary: 2 Years _____ Months _____ Days
 \$ _____ fine, and _____ \$ Included in 14-344
 Suspended Sentence: 2 Years _____ Months _____ Days \$ _____ Fine

Case No. 14-344
 GUILTY
 Penitentiary: 2 Years _____ Months _____ Days
 \$ _____ fine, and _____ \$ Included in 14-344
 Suspended Sentence: 2 Years _____ Months _____ Days \$ _____ Fine

Case No. 14-344
 GUILTY
 Penitentiary: 2 Years _____ Months _____ Days
 \$ _____ fine, and _____ \$ Included in 14-344
 Suspended Sentence: 2 Years _____ Months _____ Days \$ _____ Fine

These sentences shall run consecutive to each other.

All suspensions or deferrals are conditioned upon defendant's general good behavior and, in the case of supervised probation, upon compliance with all terms and conditions of probation as adopted by this court. Probation shall include substance abuse counseling and/or testing as prescribed by the Probation Officer.

PROBATION Supervised 2 Years Commencing Immediately

Defendant Ordered to complete any substance abuse screening, assessment, testing and treatment as directed by the Department of Corrections. The defendant shall be subject payment of any fees associated with substance abuse treatment or intervention.

Defendant directed to submit a blood sample for DNA analysis at the SWVRJA this day by 5 p.m.

Special Program As a special condition of probation, the defendant shall pick up trash and litter in a designated area of Washington County as assigned by his/her Probation Officer and/or the Litter Control Officer.

Suspension of operator's license: Six (6) months as to each drug conviction.
 License Surrendered: YES NO
 Restricted license to be issued by separate order.

Court-appointed fee: Court-appointed counsel shall receive a fee in an amount to be determined.

Payment of Costs/Fine/Restitution:
 Due within six (6) months of this date or within six (6) months of release from incarceration.
 \$50.00 due monthly commencing within 30 days of this date
 Pursuant to plan to be established by Probation Officer and approved by the Court.

Special Conditions: The accused shall undergo a substance abuse assessment pursuant to Va. Code 18.2-251.01 or 18.2-258.1(H), as appropriate, and enter a treatment and/or education program such as, in the opinion of the court, may be best suited to the needs of the accused based upon consideration of the substance abuse assessment. The defendant shall pay all or part of the costs of the program, including the costs of the screening, assessment, testing and the treatment, based upon the accused's ability to pay unless the person is determined by the court to be indigent. The defendant shall successfully complete the treatment or education program and remain drug and alcohol free and submit to drug testing, make reasonable efforts to secure/maintain employment. The defendant shall provide his probation officer with a complete list of all controlled substances prescribed to him, including name(s) and contact number(s) of each health care provider prescribing such. The defendant shall regularly update said list and health care providers and execute waivers authorizing all health care providers providing such controlled substances to provide his probation officer such information as may be necessary to ensure that he is complying with the terms and conditions of probation.

The defendant shall be given credit for time spent in confinement while awaiting trial pursuant to Virginia Code § 53.1-187.

The defendant was allowed to depart.

This matter is hereby stricken from the docket of this Court.

ENTER: this 13th day of August 2014.

Sage B. Johnson, Judge

SENTENCING SUMMARY:

Total Sentence Imposed: 8 years
Total Sentence Suspended: 8 years
Probation Period to Serve: 2 years

A COPY HERE:
CIRCUIT COURT WASHINGTON COUNTY, VA
PATRICIA S MOORE, CLERK
BY: [Signature], DEPUTY CLERK