

#0002080875

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: TRINA L. BOUSEMAN, L.P.N. APPLICANT

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400(7) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Board of Nursing ("Board") on March 4, 2009, in Henrico County, Virginia. Trina L. Bouseman, L.P.N. Applicant, was present and was not represented by legal counsel. Jodi Power, R.N., J.D., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

Based upon 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. On November 21, 2008, the Board of Nursing received an Application for Licensure by Examination as a Practical Nurse from Ms. Bouseman.
2. By letter dated February 4, 2009, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Bouseman notifying her that an informal conference would be held on March 4, 2009. The Notice was sent by certified and first class mail to 1922 Wayne Street #24, Roanoke, Virginia 24012, the address of record on file with the Board of Nursing.
3. On December 12, 2001, Ms. Bouseman pled guilty and was convicted of felony embezzlement in the Circuit Court of Roanoke County, Virginia. Ms. Bouseman was sentenced to two years incarceration, all suspended, and 12 months supervised probation, and ordered to pay \$1200.00 restitution and \$855.00 in court costs. Ms. Bouseman satisfied all of her court requirements

and successfully completed probation in 2004. Ms. Bouseman has had no criminal charges or convictions since 2001.

4. Ms. Bouseman explained that the above conviction resulted from her receiving merchandise that she did not pay for while working as a supervisor at TJ Maxx, a second job she held to earn money to help support a cousin living with her at the time. Ms. Bouseman was aware that other employees were “free bagging” items and creating false returns and store credits, and rather than reporting the employees, Ms. Bouseman participated in similar activity because she needed money and clothing for her cousin.

5. At the informal conference, Ms. Bouseman took responsibility for her actions, and expressed embarrassment and sincere remorse. Ms. Bouseman indicated that she voluntarily sought counseling in 2002 for approximately one year in order to help her find better coping skills and work through the depression she experienced as a result of the conviction. Ms. Bouseman stated that she has learned her lesson and has made positive changes in her life and financial habits since her conviction.

6. Ms. Bouseman provided three positive letters supporting her application for licensure, including two from instructors or staff of ECPI Practical Nursing Education Program and one from a classmate.

7. At the informal conference, Ms. Bouseman indicated that she has had two nursing related employments since 2007, both working as a medical assistant in an office environment taking patient histories and vital signs. Ms. Bouseman stated that she has been working with her current employer, Psychological Health of Roanoke, since July 2008. Ms. Bouseman was unable to provide information about her performance from this employer due to her supervisor’s unavailability for an

extended period of time, although she claimed that her employer is aware of her conviction and these Board proceedings.

CONCLUSIONS OF LAW

1. Finding of Fact # 3 constitutes a violation of § 54.1-3007(4) of the Code.
2. The Agency Subordinate concludes that Ms. Bouseman otherwise meets the requirements of § 54.1-3020 of the Code.

ORDER

WHEREFORE, it is hereby ORDERED that:

1. Trina L. Bouseman's Application for Licensure by Examination as a Practical Nurse is hereby APPROVED. Upon successful completion of the NCLEX-PN, Ms. Bouseman shall be issued an unrestricted license to practice practical nursing with multistate privileges.
2. Once licensed, Ms. Bouseman shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

This Order is subject to appeal to the Board. If Ms. Bouseman desires a formal administrative hearing before the Board pursuant to §§ 2.2-4020 and 2.2-4021 of the Code, she must notify Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233, in writing, within thirty-three (33) days from the date of service of this Order. Upon the filing of a request for the hearing with the Executive Director, this Order shall be vacated.

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.

FOR THE BOARD

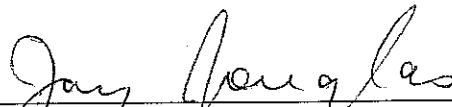


Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director
Virginia Board of Nursing

Entered: March 26TH, 2009

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed this day to Trina L. Bouseman at 1922 Wayne Street #24, Roanoke, Virginia 24012.



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

March 26TH, 2009

DATE