

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: TONYA L. TURNER, C.N.A. REINSTATEMENT APPLICANT
Certificate No.: 1401-105213

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on April 3, 2014, in Henrico County, Virginia, to receive and act upon Tonya L. Turner’s application for reinstatement of her certificate to practice as a nurse aide in Virginia, and to inquire into evidence that Ms. Turner may have violated certain laws governing nurse aide practice. Ms. Turner was not present and was not represented by counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Tonya L. Turner, C.N.A., was issued Certificate No. 1401-105213 to practice as a nurse aide in the Commonwealth of Virginia on August 14, 2004. Said certificate expired on August 31, 2008.
2. By letter dated March 10, 2014, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Turner notifying her that an informal conference would be held on April 3, 2014. The Notice was sent by certified and first class mail to 1105 North 33rd Street, Richmond, Virginia 23223, the address of record on file with the Board of Nursing. According to the United States Postal Service, the Notice sent by certified mail was delivered on March 11, 2014. As of April 3, 2014, the Notice sent by first class mail had not been returned to the Board office. The Committee Chair concluded that adequate notice was provided to Ms. Turner and the informal conference proceeded in her absence.

3. Ms. Turner submitted an application for reinstatement of her certificate to practice as a nurse aide which was received by the Board on September 11, 2013.

4. On December 18, 2013, Ms. Turner was convicted of petit larceny in the Henrico County, Virginia, General District Court.

5. Ms. Turner has been diagnosed with depressive affective disorder. Further, she has a history of substance abuse.

CONCLUSIONS OF LAW

1. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(4) of the Code.
2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. The application of Tonya L. Turner for reinstatement of her certificate to practice as a nurse aide in the Commonwealth of Virginia is hereby DENIED.

2. At such time as Ms. Turner 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. Turner 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 §§ 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 public record and shall be made available for public inspection or copying on request.

Pursuant to Section 54.1-2400(10) of the Code, Ms. Turner may, not later than 5:00 p.m., on **June 9, 2014**, notify Jay P. 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.

FOR THE COMMITTEE:

Jay P. Douglas

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

ENTERED: *May 7, 2014*

This Order shall become final on **June 9, 2014**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By *[Signature]*

Virginia Board of Nursing